JOURNAL

OF

THE SENATE

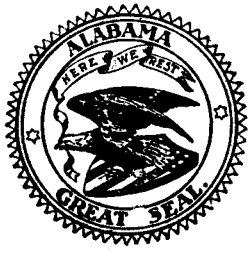
OF THE

STATE OF ALABAMA

SESSION OF 1927

HELD IN THE CITY OF MONTGOMERY
COMMENCING

TUESDAY, JANUARY 11, 1927.



VOL. I

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE.

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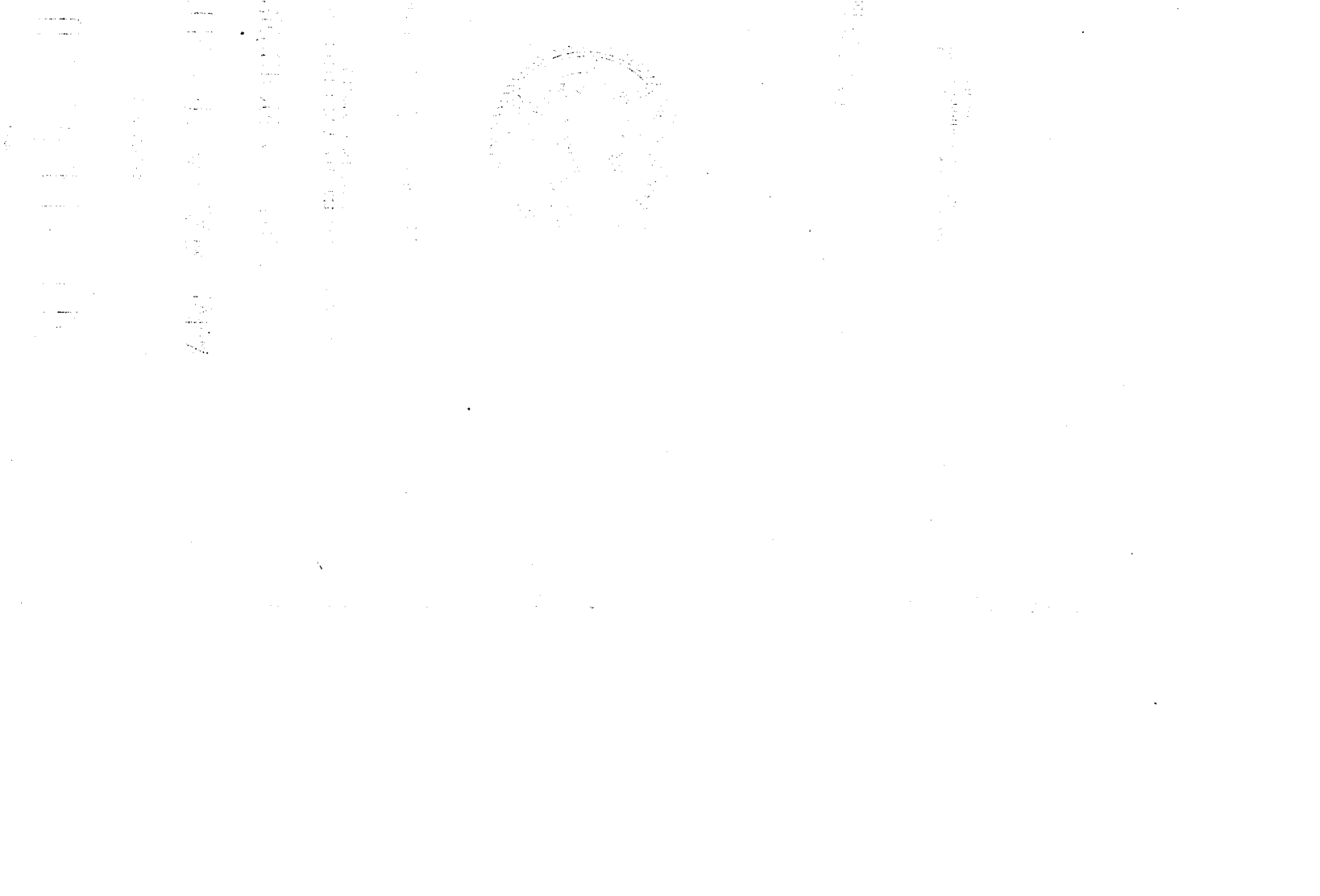

JOURNAL

OF

THE SENATE

OF THE

STATE OF ALABAMA

FIRST DAY

Tuesday, January 11, 1927.

This being the Second Tuesday in January, A. D., 1927, and the day fixed by law and the Constitution for the quadrennial meeting of the Legislature of the State of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery, at 12 o'clock M., and was called to order by Lieutenant Governor Charles S. McDowell, Jr., President of the Senate.

J. E. Speight, Secretary, was present and acted as such, according to law.

PRAYER.

By Rev. Dr. Carson of Montgomery.

ROLL CALL.

The roll of the Senate being called, the following Senators elect answered to their names:

1st District: Lauderdale and Limestone Counties; W. H. Mitchell, Florence, Alabama.

2nd District: Lawrence and Morgan Counties; W. H. Smith, Town Creek, Alabama.

3rd District: Blount, Cullman and Winston Counties; W. E. James, Cullman, Alabama.

4th District: Madison County; G. Walter Jones, Huntsville, Alabama.

5th District: Jackson and Marshall Counties; John K. Thompson, Scottsboro, Alabama.

6th District: Etowah and St. Clair Counties; Watt T. Brown, Ragland, Alabama.

7th District: Calhoun County; Farmer M. Nixon, Anniston, Alabama.

8th District: Talladega County; S. C. Oliver, Talladega, Alabama.

9th District: Chambers and Randolph Counties; James A. Hines, Lafayette, Alabama.

10th District: Tallapoosa and Elmore Counties; Dr. O. S. Justice, Central, Alabama.

11th District: Tuscaloosa County; W. C. Warren, Tuscaloosa, Alabama.

12th District: Fayette, Lamar and Walker Counties; Oliver E. Young, Vernon, Alabama.

13th District: Jefferson County; Fred Fite, Birmingham, Alabama.

14th District: Pickens and Sumter Counties; C. A. Walton, Cuba, Alabama.

15th District: Autauga, Chilton and Shelby Counties; L. H. Ellis, Columbiana, Alabama.

16th District: Lowndes County; H. M. Caffey, Hayneville, Alabama.

17th District: Butler, Conecuh and Covington Counties; James B. Stanley, Greenville, Alabama.

18th District: Bibb and Perry Counties; J. Marvin Moore, Marion, Alabama.

19th District: Choctaw, Clarke and Washington Counties; Carlton E. Edgar, Butler, Alabama.

20th District: Marengo County; J. T. Carlton, Prentice, Alabama.

21st District: Baldwin, Escambia and Monroe Counties; Dr. Sibley Holmes, Foley, Alabama.

22nd District: Wilcox County; J. M. Bonner, Camden, Alabama.

23rd District: Dale and Geneva Counties; Charles O. Stokes, Ozark, Alabama.

24th District: Barbour County; Millard I. Jackson, Clayton, Alabama.

25th District: Coffee, Crenshaw and Pike Counties; John M. Loflin, Enterprise, Alabama.

26th District: Bullock and Macon Counties; Dr. S. C. Cowan, Union Springs, Alabama.

27th District: Lee and Russell Counties; Jacob A. Walker, Opelika, Alabama.

28th District: Montgomery County; Charles B. Teasley, Montgomery, Alabama.

29th District: Cherokee and DeKalb Counties; Thomas W. Bradford, Centre, Alabama.

30th District: Dallas County; James B. Ellis, Selma, Alabama.

31st District: Colbert, Franklin and Marion Counties; Travis Williams, Russellville, Alabama.

32nd District: Greene and Hale Counties; Edwin S. Jack, Greensboro, Alabama.

33rd District: Mobile County; Captain John Craft, Mobile, Alabama.

34th District: Clay, Cleburne and Coosa Counties; Wilbur B. Nolen, Ashland, Alabama.

35th District: Henry and Houston Counties; R. F. Hall, Haleburg, Alabama.

W. H. Smith of the 2nd District, John K. Thompson of the 5th and Wilbur B. Nolen of the 34th District, being absent.

THE STATE OF ALABAMA,

DEPARTMENT OF STATE

I, S. H. Blan, Secretary of State, do hereby certify that as shown by the returns of election on file in this office, the foregoing list contains the names of those elected from the several Senatorial Districts of the State of Alabama to the State Senate of Alabama, at the General Election held in this State on the 2nd day of November, A. D. 1926.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol in the City of Montgomery, this the 11th day of January, A. D., 1927.

S. H. Blan,
Secretary of State.

(Seal)

OATH OF OFFICE

Upon request of the President and Presiding Officer of the Senate, Lieutenant Governor Charles S. McDowell, Jr., the Senators-elect came forward, presented their credentials and the President of the Senate administered to them the oath of office prescribed by the Constitution of the State of Alabama, and each Senator came forward and subscribed his name to said oath as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me, God."

W. H. Mitchell.
W. E. James.
G. Walter Jones.
Watt T. Brown.
Farmer M. Nixon.
S. C. Oliver.

Jas. A. Hines.
W. C. Warren.
Oliver E. Young.
O. S. Justice.
Fred Fite.
C. A. Walton.
L. H. Ellis.
H. M. Caffey.
J. B. Stanley.
J. M. Moore.
C. E. Edgar.
J. T. Carlton.
Sibley Holmes.
J. M. Bonner.
Chas. O. Stokes.
M. I. Jackson.
Jacob A. Walker.
Chas. B. Teasley.
Thos. W. Bradford.
James B. Ellis.
Travis Williams,
Edwin S. Jack.
John Craft.
R. F. Hall.
John M. Loflin.
S. C. Cowan.

LEAVES OF ABSENCE.

On motion of Mr. Ellis of Shelby, leave of absence was granted Mr. Nolen for to-day.

On motion of Mr. Teasley, leave of absence was granted Messers Smith and Thompson for to-day.

PRIVILEGES OF THE FLOOR

Were extended to General William L. Sibert, Hon. Thomas C. McClellan, for to-day.

ELECTION OF OFFICERS

The Lieutenant Governor and Presiding Officer of the Senate announced that the next order of business was the election of officers as follows: President Pro-tempore, Secretary, Assistant Secretary, Enrolling Clerk, Engrossing Clerk, Door-keeper, Assistant Door-keeper, Door-keeper of Senate Gallery, Comparing Clerk, four Pages and two Messengers of the Senate for the term prescribed by law.

ELECTION OF PRESIDENT PRO-TEMPORE

Mr. Bonner placed in nomination for President Pro-tempore of the Senate, the name of Hon. Watt T. Brown, of St. Clair:

Those who voted for Mr. Brown are:

Messrs:			
Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Oliver	Young
Edgar	Jackson	Stanley	

—31

Mr. Brown having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected President Pro-tempore of the Senate for the term prescribed by law.

ELECTION OF SECRETARY

Mr. Ellis of Dallas, placed in nomination for Secretary of the Senate, the name of Hon. J. E. Speight of Covington.

Those who voted for Mr. Speight are:

Messrs:				
Bonner	Ellis of Dallas	James	Stokes	
Bradford	Ellis of Shelby	Jones	Teasley	
Brown	Fite	Justice	Walker	
Caffey	Hall	Mitchell	Walton	
Carlton	Hines	Moore	Warren	
Cowan	Holmes	Nixon	Williams	
Craft	Jack	Oliver	Young	
Edgar	Jackson	Stanley		—31

Mr. Speight having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Secretary of the Senate for the term prescribed by law.

ELECTION OF ASSISTANT SECRETARY.

Mr. Young placed in nomination for Assistant Secretary of the Senate, the name of Harrison McCutchen, of Jackson:

Those who voted for Mr. McCutcheon are:

Messrs:				
Bonner	Ellis of Dallas	James	Stokes	
Bradford	Ellis of Shelby	Jones	Teasley	
Brown	Fite	Justice	Walker	
Caffey	Hall	Mitchell	Walton	
Carlton	Hines	Moore	Warren	
Cowan	Holmes	Nixon	Williams	
Craft	Jack	Oliver	Young	
Edgar	Jackson	Stanley		—31

Mr. McCutcheon having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Assistant Secretary of the Senate for the term prescribed by law.

ELECTION OF DOOR-KEEPER

Mr. Nolen placed in nomination for Doorkeeper of the Senate, the name of Rev. J. K. Jenkins, of Clay.

Those who voted for Rev. Jenkins are:

Messrs:

Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Oliver	Young
Edgar	Jackson	Stanley	—31

Mr. Jenkins having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Doorkeeper of the Senate for the term prescribed by law.

ELECTION OF ASSISTANT DOOR-KEEPER

Mr. Jackson placed in nomination for Assistant Doorkeeper of the Senate, the name of J. G. Watkins, of Barbour.

Those who voted for Mr. Watkins are:

Messrs:

Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Oliver	Young
Edgar	Jackson	Stanley	—31

Mr. Watkins having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Assistant Doorkeeper of the Senate for the term prescribed by law.

ELECTION OF ENROLLING CLERK

Mr. Teasley placed in nomination for Enrolling Clerk of the Senate, Mrs. Lula S. Thompson of Montgomery.

Those who voted for Mrs. Thompson are:

Messrs:

Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Oliver	Young
Edgar	Jackson	Stanley	—31

Mrs. Thompson having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally

elected Enrolling Clerk of the Senate for the term prescribed by law.

ELECTION OF ENGROSSING CLERK

Mr. Teasley placed in nomination for Engrossing Clerk of the Senate, Mrs. Nannye Bell Walker, of Montgomery:

Those who voted for Mrs. Walker are:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

Mrs. Walker having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Engrossing Clerk of the Senate for the term prescribed by law.

ELECTION OF COMPARING CLERK

Mr. Teasley placed in nomination for Comparing Clerk of the Senate, the name of Mrs. Hattie S. Ross, of Montgomery:

Those who voted for Mrs. Ross are:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

Mrs. Ross having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Comparing Clerk of the Senate for the term prescribed by law.

ELECTION OF DOOR-KEEPER OF GALLERY

Mr. Brown placed in nomination for Doorkeeper of the Senate Gallery, the name of John Bell of St. Clair.

Those who voted for Mr. Bell, are:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

Mr. Bell having received the entire vote cast, being a majority of the Senate, was declared duly and constitutionally elected Door-keeper of the Senate Gallery for the term prescribed by law.

ELECTION OF PAGES.

Mr. Teasley placed in nomination as the four Pages of the Senate, the names of Lester Chambers, John Fonville, Jr., John Knox Wynn and Lewis Bowen, Jr.

Those who voted for Messers. Chambers, Fonville, Wynn and Bowen, are:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

Said Lester Chambers, John Fonville, Jr., John Knox Wynn and Lewis Bowen, Jr., having received the entire vote cast, being a majority of the Senate, they were declared duly and constitutionally elected as the four Pages of the Senate for the term prescribed by law.

ELECTION OF MESSENGERS

Mr. Loflin placed in nomination as the two Messengers of the Senate, P. W. Hodges, Jr. and James Mayfield, Jr., of Montgomery:

Those who voted for Messers Hodges and Mayfield are:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

Said P. W. Hodges, Jr. and James Mayfield, Jr. having received the entire vote cast, being a majority of the Senate, they were declared duly and Constitutionally elected as the two Messengers of the Senate for the term prescribed by law.

OATH OF OFFICE.

The Oath of Office prescribed by the Constitution of Alabama was then administered by the President of the Senate to the following officers, to-wit: Watt T. Brown, President Pro-Tempore; J. E. Speight, Secretary, Harrison McCutchen, Assistant Secretary, Mrs. Lula S. Thompson, Enrolling Clerk, Mrs. Nannye Bell Walker, Engrossing Clerk, Mrs. Hattie S. Ross, Comparing Clerk, Rev. J. K. Jenkins, Doorkeeper, J. G. Watkins, Assistant Door-keeper, and John Bell, Door-keeper of the Senate Gallery.

APPOINTMENT OF COMMITTEE TO EXAMINE OFFICES OF STATE AUDITOR AND STATE TREASURER.

As required by Section 1513 of the Code of Alabama, 1923, the Lieutenant Governor and President of the Senate appointed as a Committee on part of the Senate to examine the offices of the State Auditor and State Treasurer, Messers Carlton, Moore and Jack.

RESOLUTION

Mr. Williams offered the following Senate Resolution:

S. R. 1. Resolved, That the present Senate of Alabama be governed by the Rules of the Senate adopted at the regular session of 1923, until new rules are adopted by this Senate, except that the Standing Committees of the Senate and the number of members composing each, shall be as follows:

(1) On the Judiciary, to consist of eleven members.

(2) On Revision of Laws, to consist of eleven members.

(3) On Constitution and Constitutional Revision and amendment, to consist of eleven members.

(4) On Finance and Taxation, including accounts and claims, fees and salaries and contingent fund, to consist of fifteen members.

(5) On Banking and Insurance, to consist of nine members.

(6) On Penitentiary, Prison and Prison Punishment, to consist of nine members.

(7) On Corporations, to consist of five members.

(8) On Local Legislation, to consist of seven members.

(9) On Education, to consist of fifteen members.

(10) On Commerce and Common Carriers, to consist of seven members.

(11) On Mining and Manufacturing, to consist of nine members.

(12) On Agriculture, to consist of eleven members.

(13) On Municipalities and Municipal Organization, including charitable institutions, to consist of five members.

(14) On Counties and County Boundaries, to consist of five members.

(15) On Immigration and Industrial Resources, to consist of five members.

(16) On Public Buildings and Grounds, to consist of five members.

(17) On Privileges and Elections, including grievances, inabilities, and registration, to consist of eleven members.

(18) On Printing, to consist of five members.

(19) On Public Health, to consist of five members.

(20) On Military, to consist of five members.

(21) On Temperance, to consist of nine members.

(22) On Engrossed Bills, to consist of three members.

(23) On Enrolled Bills, to consist of three members.

(24) On Revision of the Journal, to consist of five members. (Whose duty it shall be to examine in reference to each bill or resolution finally passed by the General Assembly and report whether the Journal contains the entries in reference thereto required by the Constitution.)

(25) On Public Roads and Highways, to consist of eleven members.

(26) On Fish, Game and Forestry, to consist of five members.

(27) On Rules, to consist of five members, with the right to report at any time.

(28) On Seaports, to consist of seven members.

And on motion of Mr. Williams, the rules were suspended, and said resolution put upon its immediate passage, and adopted by the Senate.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Walker
Caffey	Hines	Mitchell	Walton
Carlton	Holmes	Moore	Warren
Craft	Jack	Nixon	Williams
Edgar	Jackson	Oliver	Young
Ellis of Dallas	James	Stanley	

—31

Nays:—None.

And on motion of Mr. Holmes, the Rules of the Senate of the Session of 1923, were adopted as the Rules of this Senate until new Rules are adopted, with the exception that the standing committees are as noted above. Said rules being as follows:

RULES OF THE SENATE

REGULAR SESSION, 1927.

RULE 1. The President having taken the Chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistakes may be corrected that shall be made in the entry.

2. Every Senator, when he speaks, shall address the Chair, standing in his place, and when he has finished, shall sit down.

3. No Senator shall speak more than twice on any question under debate, and shall not consume more than one hour at each time, without leave of the Senate; but the originator of the pending question, or chairman of the committee reporting the measure, shall have the right to conclude the debate, the originator of the pending question to have precedence.

4. When two or more Senators rise at the same time, the President shall name the Senator who is to speak first.

5. When a Senator shall be called to order by the President, or a Senator, he shall sit down; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate, and the President may call for the sense of the Senate on any question of order.

6. If a Senator be called to order by a Senator for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary, that the President may be better enabled to judge the matter.

7. No Senator shall absent himself from the service of the Senate, for as long as one day, without leave of the Senate first obtained. In case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Doorkeeper, or any other person by them authorized, for any or all absent senators, as the majority of the Senators present shall agree, at the expense of such absent Senator unless such excuse for non-attendance shall be made, as a quorum of the Senate shall judge sufficient, in which event the expense of securing the attendance of such Senator shall be paid out of the contingent fund.

8. When a motion shall be made, it shall be reduced to writing, if desired by the President, or any Senator, delivered at the table, and read, before the same shall be debated.

9. When a question is under debate, no motion shall be received but:

To adjourn,
To adjourn to a day certain,
To lay on the table,
To postpone indefinitely,
To postpone to a certain day,
To commit, or
To amend;

which several motions shall have precedence, in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.

10. If the question in debate contains several points any Senator may vote for a division, but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out, nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

11. In filling blanks, the largest sum and longest time shall be put first.

12. When the reading of any paper is called for, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

13. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the special orders of the day.

14. When the yeas and nays shall be called for by one-tenth of the Senators present, each Senator called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the Senate, the names of the Senators shall be called alphabetically.

15. When the yeas and nays shall be taken upon any question, in pursuance of the above rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

16. All motions to go into executive session shall be decided without debate.

17. All joint resolutions, except those which require immediate action, shall be referred to the Committee on Rules, before they shall be considered by the Senate.

18. No motion shall be deemed in order to admit any person whomsoever within the doors of the Senate chamber, to present any petition, memorial or address, or to have any such read.

19. When a question has been made and carried in the affirmative or negative, it shall be in order for any Senator of the majority to move for the re-consideration thereof; but no mo-

tion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, announcing its decision; nor shall any motion for reconsideration to be in order, unless made on the same day on which the vote was taken, or by 12 o'clock the next day.

20. All questions shall be put by the President of the Senate, and the Senators shall signify their assent or dissent by answering their yea or no.

21. The President of the Senate shall have the right to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment.

22. After reading the journal, business shall be called in the following order:

1st. Signing of bills by President,
2nd. Call of Districts,
3rd. House Messages,
4th. Reports from Standing Committees,
5th. Reports from Select Committees,
6th. Motions and Resolutions,
7th. Bills on third reading,
8th. Regular order of the day at 12 M.
9th. Miscellaneous business.

The Committee on Enrolled and Engrossed Bills, and on Journal may report at any time.

This order of the business cannot be set aside except by a majority vote of the Senate, upon a resolution, previously considered and reported by the Committee on Rules.

When reports of Standing Committees are in order the Committee shall be entitled to the floor, last occupying it when the reports were in order.

These rules shall not interfere with special orders for particular days, or special orders for the Senate.

Special orders shall be called at the hour of 12 o'clock, unless specially set for some other hour; and a motion for a special order, if objected to, shall be first referred to and reported from the Committee on Rules.

Under call of the districts, only bills, petitions, memorials, or resolutions which are to be referred to a committee, shall be introduced, and every bill, petition, memorial or other paper shall upon the first reading thereof, be referred by the President to the Standing Committee having the subject matter thereof under consideration unless the Senate by a majority vote order otherwise. And before any petition or memorial addressed to the Senate shall be received and read at the table, a brief statement of the contents of the petition or the memorial shall be made verbally by the introducer.

23. Every bill shall receive three readings previous to its being passed; and the President shall give notice at each reading of a bill whether it be the first, second or third, which reading shall be on three different days. And no bill shall become a law until it shall have been referred to a standing committee, acted upon by such committee in session, and returned therefrom, which fact shall affirmatively appear upon the journal of the Senate, and upon its final passage read at length, and the vote taken by yeas and nays, and the names of the Senators voting for and against the same be entered on the journal.

24. All bills carrying appropriations whether previously referred to another committee, shall be referred to the Committee on Finance and Taxation and reported therefrom.

25. The presiding Officer of the Senate shall in the presence of the Senate, sign all bills and joint resolutions passed by the Legislature, after the same shall have been publicly read at length immediately before signing, and the fact of reading and signing shall be entered upon the journal; but the reading at length may be dispensed with by a two-thirds vote of a quorum present, which fact shall also be entered on the journal. And all the resolutions proposing amendments to the Constitution or to which the approbation or signature of the President may be requisite or which may grant money out of the contingent fund shall be treated in all respects in the introduction and form of proceedings thereon in the Senate in a similar manner with bills.

26. Bills on first reading shall be committed, and shall be read a second time when returned from the committee on any subsequent day.

27. The final question, upon the third reading of every bill, resolution, constitutional amendment, or motion orginating in the Senate, and requiring three readings previous to its being passed, shall be, "whether it shall be engrossed and read a third time," and no amendment shall be received for discussion after the third reading of any bill, resolution, amendment or motion, unless by unanimous consent of the members present; but it shall at all times be in order, before the final passage of any such bill, resolution, constitutional amendment or motion, to move its commitment, and if such commitment take place and any amendment be reported by the committee, the said bill, resolution, constitutional amendment or motion shall be again read a second time, and then the aforesaid question shall be put.

28. The special orders of the day shall not be called by the Chair before 12 o'clock, unless otherwise directed by the Senate.

29. The titles of bills and such parts thereof only as shall be effected by proposed amendments, shall be inserted on the journals.

30. The proceedings of the Senate, when not in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of its proceedings; but every vote of the Senate shall be entered on the journal, and a brief statement of the contents of each petition memorial or paper presented to the Senate, shall be inserted on the journal.

31. The President of the Senate shall appoint the Chairman and members of the Standing Committees, and he shall appoint all other committees of the Senate, both special and joint.

32. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question on reference to the standing committee shall be first put.

33. That all Executive messages be considered with open doors unless otherwise requested in said message, or otherwise ordered by a vote of the Senate.

34. The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed thirty minutes, when a vote shall be taken thereon.

35. When any question may have been decided by the Senate, in which two-thirds of the Senators present are necessary to carry the affirmative, any Senator who votes on that side which prevailed in the question, may be at liberty to move for a reconsideration, and a motion for a re-consideration shall be decided by a majority of votes. And every bill, question or measure may be reconsidered at any time before 12 o'clock of the succeeding day, that no motion to table a motion to re-consider shall be in order, if made on the same day the proposition proposed to be re-considered, was carried, and no motion to take from the table a motion to re-consider shall be in order, without giving one day's notice.

36. Messages shall be sent to the House of Representatives by the Secretary, who shall previously endorse the final determination of the Senate thereon,

37. Messages may be introduced in any stage of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

38. Press reporters shall be placed on the floor of the Senate by the Secretary, or under his direction.

39. The presiding officer of the Senate shall have the regulation and control of such parts of the capitol, and of its passages, as are or may be set apart for the use of the Senate and its officers.

40. Persons admitted on the floor of the Senate chamber while the Senate is in session; Members and former members of

the Legislature, officers and employees of the Two Houses, the Governor and his Secretary, representatives of the press, other persons to whom the Senate by unanimous vote may extend the privilege of its floor.

41. No smoking shall be allowed in the Senate chamber.

42. The time of meeting of the Senate each day shall be 10 o'clock A. M., except on Monday, on which it shall convene at 12 o'clock noon; and in all cases, upon the adjournment of the Senate, the Secretary shall enter on the journal the hour of adjournment, and the name of the member on whose motion of adjournment was had.

44. Bills on third reading postponed to a day certain shall take precedence on such day, and from day to day thereafter, until disposed of, of bills on third reading, and the precedence of such postponed bills shall be in the order of their postponement, respectively.

45. No discussion or debate shall be allowed while a vote is being taken, except by unanimous consent of the Senate.

46. A motion to lay on the table amendment or substitute shall not carry with it the original bill, resolution or proposition.

47. The Secretary of the Senate is required to furnish daily to the members of the Senate a printed calendar of all the bills and resolutions intended to have the force of laws on third reading in the order in which they are entitled to consideration.

48. When a committee has decided adversely to any bill or resolution, such action shall be indorsed thereon under Rule 51, and said bill forthwith delivered to the Secretary of the Senate, who shall note the unfavorable report on the register or docket of bills, and keep and print a calendar of same, adding bills from day without reprinting. Any Senator may, after one day's written notice, on the day named in said notice after the call of standing committees move the second reading of such bill or resolution when the same may, by a vote of a majority of the entire Senate. be read by its title a second time and placed on the calendar. Only 60 minutes to the side shall be allowed for the discussion of such motion—which may be divided as the Senators favoring and opposing the same may agree for their respective sides.

49. No motion to suspend, modify or amend any rule or any part thereof, shall be in order except on one day's notice in writing, specifying precisely the rule or part thereof, proposed to be suspended, modified or amended and the purpose thereof; and before any vote shall be taken on such motion, it shall be first referred to the Committee on Rules. and the said committee must report thereon; but any rule may be suspended by unanimous consent of the Senate, and alterations of the rules shall be decided by a majority vote.

50. All resolutions shall be referred to and reported from the Committee on Rules before consideration by the Senate; provided, that this shall not apply to resolutions requiring immediate consideration.

51. The Secretary of the Senate in the keeping of the journal shall, on the introduction of a bill, make an entry as follows:

"INTRODUCTION OF BILLS."

Upon a call of districts, bills were introduced, severally read once and referred to appropriate standing committees as follows:

Setting out the number and title of the bill.

Committee on.....

52. When a bill shall be returned from a standing committee of the Senate, the Secretary shall make the journal read:

"Mr....., Chairman of the Standing Committee on ....., reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a..... and they were severally read a second time and placed on the calendar, to-wit:"

53. When a bill has been acted upon by a standing committee, of the Senate, the Chairman shall endorse on said bill:

"This bill was referred to the standing committee of the Senate on ..... and was acted upon by such committee in session and is by order of the committee returned therefrom with.....

This..... day of ....., 192.....

Chairman.....

54. That the Secretary of the Senate will provide the Chairman of each standing committee with a stamp with which to make such endorsements.

SIGNING OF BILLS

On the signing of bills by the President of the Senate, the Secretary shall make the Journal read:

55. The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

Report from the Committee on Enrolled Bills.

2. That the said rules together with the joint rules of the Senate and House, the Standing Committees of the Senate and

House, the names and titles of the officers of the Senate and House and the names and addresses of the members of the Senate and House be printed and distributed among the members of the Senate.

Mr. James offered the following Senate Resolution:

S. R. 2: Resolved by the Senate, That the Secretary of the Senate inform the House of Representatives of Alabama that the Senate of Alabama has perfected its organization and elected its permanent officers and is now ready for the transaction of public business; that he will communicate to the House of Representatives the names of the several officers elected by the Senate.

Which was, under a suspension of the rules, adopted.

Mr. Brown offered the following Senate Joint Resolution:

S. J. R. 3. Resolved by the Senate, the House concurring, That a committee of five, consisting of two members on the part of the Senate, to be appointed by the Presiding Officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be appointed to wait upon the Governor of Alabama and inform him of the organization of the Legislature of Alabama and its readiness to transact public business, and to request that he deliver in person any communication he may have for the Legislature.

Which was, under a suspension of the rules, adopted.

Mr. James offered the following Senate Joint Resolution:

S. J. R. 4. Resolved by the Senate, the House concurring, That the Senate and House of Representatives meet in Joint Convention in the hall of the House of Representatives at 11 o'clock on tomorrow, January 12, A. D. 1927, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the General Election of November, 1926, as required by Section 115 of the Constitution of Alabama.

Which was, under a suspension of the rules, adopted.

Mr. James offered the following Senate Joint Resolution:

S. J. R. 5. Be it resolved by the Senate, the House concurring:

First: That there be and it is hereby created a Joint Inaugural Committee to be composed of five members of the Senate, and seven members of the House of Representatives.

Second: That the said Joint Inaugural Committee shall take such steps as they may deem necessary for the proper inauguration of the incoming Governor and Lieutenant Governor and

report back to the Legislature its recommendations for such acts as the Legislature may see fit to take.

Which was, under a suspension of the rules, adopted.

Mr. Teasley offered the following Senate Resolution:

S. R. 6. Resolved by the Senate, That the Lieut. Governor be, and he is hereby, authorized to employ a Stenographer to serve at his direction, and that each Chairman of each Committee of the Senate be, and is hereby, authorized to employ a Clerk to serve the Committee of which he is Chairman; that the Secretary of the Senate be, and he is hereby, authorized to employ six additional Clerks to assist in the clerical work of the several departments of the Senate, whose compensations shall be the same as allowed by law.

Be it further resolved, That all Committee Clerks of the Senate are subject to work at the direction of the Secretary of the Senate, in the several departments of the Senate, when they are not actually engaged in the service of the Committee to which he or she is clerk.

And on motion of Mr. Teasley, the rules were suspended and said resolution put upon its immediate passage, and adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Oliver
Bradford	Ellis of Shelby	Jones	Stanley
Brown	Fite	Justice	Stokes
Caffey	Hines	Loflin	Teasley
Carlton	Holmes	Mitchell	Warren
Craft	Jack	Moore	Williams
Edgar	Jackson	Nixon	Young

—28

Nays:—None.

COMMITTEE TO WAIT UPON GOVERNOR.

Under S. J. R. 3, heretofore adopted, relative to a Committee to wait upon the Governor and inform him of the organization of the Legislature of Alabama and its readiness to transact public business, the President of the Senate appointed as a Committee on the part of the Senate Messers Nixon and Young.

STANDING COMMITTEES OF THE SENATE.

State Capitol,
Montgomery, Alabama, Jan. 11, 1927.

To the Senate of Alabama:

I have the honor to recommend to you for election the several Senators hereinafter named to constitute the respective standing

committees of the Senate; the first Senator named on each committee, respectively, to be the Chairman, as follows:

1. On the Judiciary, to consist of eleven members: Williams, Bonner, Mitchell, Ellis (of Shelby), Walker, James, Jack, Hines, Stokes, Teasley, Fite.

2. On Revision of Laws, to consist of eleven members: Fite, Young, Warren, Thompson, Edgar, Jackson, Loflin, Carlton, Cowan, Nolen, Williams.

3. On Constitution and Constitutional Revision and Amendments, to consist of eleven members: Jack, Walker, Williams, Bonner, Hines, Ellis (of Shelby), Thompson, James, Loflin, Warren, Jackson.

4. On Finance and Taxation, including accounts and claims, fees and salaries and contingent fund, to consist of fifteen members: Ellis (of Dallas), Teasley, Craft, Brown, Fite, Mitchell, Oliver, Walker, Carlton, Hines, Walton, Williams, Moore, James, Jack.

5. On Banking and Insurance, to consist of nine members: Teasley, Oliver, Moore, Nolan, Brown, Bradford, Fite, Walton, Stokes.

6. On Penitentiary, Prison, Prison Punishment, to consist of nine members: Ellis (of Shelby), Young, Bonner, Nolen, James, Warren, Craft, Nixon, Thompson.

7. On Corporations, to consist of five members: Walker, Thompson, Loflin, Moore, Warren.

8. On Local Legislation, to consist of seven members: Hines, Hall, Jones, Justice, Jackson, Caffey, Nixon.

9. On Education, to consist of fifteen members: Mitchell, Brown, Oliver, Ellis (of Dallas), Young, Walker, Warren, Ellis (of Shelby), Jones, Hall, Holmes, Williams, Nolen, Edgar, Loflin.

10. On Commerce and Common Carriers, to consist of seven members: Carlton, Oliver, Caffey, Smith, Jack, Warren, Young.

11. On Mines and Manufacturing, to consist of nine members: Young, Brown, Fite, Craft, Cowan, Nixon, Jones, James, Warren.

12. On Agriculture, to consist of eleven members: Hall, Hines, Stanley, Caffey, Bradford, Smith, Loflin, James, Justice, Craft, Walton.

13. On Municipalities and Municipal Organization, including Charitable Institutions, to consist of five members: Stokes, Jackson, Williams, Walker, Jones.

14. On Counties and County Boundaries, to consist of five members: Loflin, Walton, Caffey, Smith, Bradford.

15. On Immigration and Industrial Resources, to consist of five members: Oliver, Stanley, Holmes, Cowan, Edgar.

16. On Public Buildings and Grounds, to consist of five members: Cowan, Stanley, Teasley, Justice, Ellis (of Dallas).

17. On Privileges and Elections, including Grievances, Inabilities and Registration, to consist of eleven members: Thompson, Holmes, James, Bonner, Smith, Jack, Nixon, Warren, Young, Ellis (of Shelby), Hall.

18. On Printing, to consist of five members: Stanley, Bradford, Jackson, Edgar, Stokes.

19. On Public Health, to consist of five members: Justice, Cowan, Holmes, Oliver, Williams.

20. On Military, to consist of five members: James, Stanley, Young, Jackson, Jones.

21. On Temperance, to consist of nine members: Bonner, Walton, Caffey, Brown, Craft, Jones, Thompson, Hall, Young.

22. On Engrossed Bills, to consist of three members: Nolen, Stokes, Edgar.

23. On Enrolled Bills, to consist of three members: Caffey, Jack, Carlton.

24. On Revision of the Journal, to consist of five members (whose duty it shall be to examine in reference to each bill or resolution finally passed by the General Assembly and report whether the Journal contains the entries in reference thereto required by the Constitution): Bradford, Ellis (of Shelby), Moore, Hall, Nixon.

25. On Public Roads and Highways, to consist of eleven members: Craft, Hines, Holmes, Brown, Jones, Caffey, Thompson, Edgar, Justice, Walton, Carlton.

26. On Fish, Game and Forestry, to consist of five members. Holmes, Craft, Cowan, Smith, Walton.

27. On Rules, to consist of five members, with the right to report at any time: Brown, Cowan, Teasley, Mitchell, Fite.

28. On Seaports, to consist of seven members: Warren, Craft, Holmes, Mitchell, Fite, Teasley, Stanley.

Respectfully submitted,
William C. Davis,
Lieutenant Govenor-Elect.

And on motion of Mr. Ellis of Dallas, the foregoing were appointed as the Standing Committees of the Senate for the Regular Session, 1927, the first name on each Committee to constitute the Chairman of such Committee.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Carlton	Ellis of Shelby	Holmes
Bradford	Craft	Fite	Jack
Brown	Edgar	Hall	Jackson
Caffey	Ellis of Dallas	Hines	James

Jones	Moore	Stokes	Warren	
Justice	Nixon	Teasley	Williams	
Loflin	Oliver	Walker	Young	
Mitchell	Stanley	Walton		—31

Nays:—None.

A MESSAGE FROM THE HOUSE.

Mr. President:

The House has perfected its permanent organization by the election of the following officers, to-wit:

Speaker of the House—Hon. J. Lee Long, of Butler.
Clerk of the House—J. H. Stewart, of Randolph.
Assistant Clerk—Mr. Jesse B. Adams, of Dale.
Engrossing Clerk—Hon. John A. Dickinson, of Autauga.
Enrolling Clerk—Hon. J. P. Hanks, of Montgomery.
Doorkeeper—Mr. T. J. Fain, of Dale.
Assistant Doorkeeper—Mr. L. P. Bamburg, of Perry.
and is now ready for the transaction of business.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted S. J. R. 3 relative to a Joint Committee of the two Houses awaiting on the Governor and informing him that the Legislature has perfected permanent organization and is ready for the transaction of business and providing for a Joint Session of the two Houses today to hear the Message of the Governor and inviting the Governor to appear before the two Houses and deliver in person his message.

Committee on part of the House: Messrs. Fite, Ware, and Merrill.

And returns said S. J. R. 3 herewith to the Senate.

J. H. Stewart,
Clerk.

RESOLUTIONS

Mr. Warren offered the following Joint Resolution:

S. J. R. 7. Be it resolved by the Senate, the House concurring, That General W. L. Sibert be requested to deliver an address to the Legislature of Alabama, the Governor and incoming Governor and the State officers, Wednesday evening at seven-thirty, in the House of Representatives.

Which was, under a suspension of the rules, adopted.

RESIGNATION FROM COMMITTEE

Mr. Brown tenders his resignation as a member of the Standing Committee on Public Roads and Highways, and moves that Mr. Stanley be appointed to fill the vacancy caused by his resignation, which motion prevailed, and the resignation of Mr. Brown was accepted by the Senate.

Thereupon, the President and Presiding Officer of the Senate appointed as a member of the Standing Committee on Public Roads and Highways to fill the vacancy caused by such resignation, Mr. Stanley.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

The Committee heretofore appointed to wait upon the Governor and notify him of the organization of the Legislature and its readiness to transact public business, reported that the Governor desires a Joint Session of the Senate and House to-day at 2:30 for the purpose of hearing his message.

Thereupon, Mr. Young offered the following Joint Resolution:

By Mr. Young:

S. J. R. 8. Be it resolved by the Senate, the House concurring, That a joint session of the two houses be held in the hall of the House of Representatives today at 2:30 P. M., for the purpose of listening to the Governor deliver his message in person to the Legislature.

Which was, under a suspension of the rules, adopted.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mitchell:

S. 1. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State when authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement, of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and

therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, of members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all of said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, County and municipal taxation structures and improvements as well as all permanent facilities erected, installed or located, within said boundaries by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obstruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to require all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements; including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz: Sections 2427 to 2517, both inclusive.

Seaports.

By Mr. Mitchell:

S. 2. To make an appropriation of Six Hundred Thousand ($600,000.00) Dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a

minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

Finance and Taxation.

By Mr. Mitchell:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted: S. J. R. No. 4 relative to a joint session of the two Houses for the purpose of witnessing the opening and publishing of the election returns for executive officers at the general election in November, 1926, in accordance with Section 115, of the Constitution of Alabama.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted S. J. R. No. 7 relative to an address by Gen. W. L. Sibert to the Legislature, the Governor and incoming Governor and State officers, on Wednesday the 12th at seven thirty in the Hall of the House.

And the House has concurred in and adopted S. J. R. 5 relative to an inaugural Committee to take such steps as may be deemed necessary for the proper inauguration of the incoming Governor and Lieutenant Governor and report back to the Legislature its recommendations.

And said Resolutions are herewith returned to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 8. Relative to a Joint session of the two Houses at 2:30 this afternoon for the purpose of hearing Governor W. W. Brandon deliver his Message to the Legislature.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RECESS

At 1:20 P. M., on motion of Mr. Bonner, the Senate took a recess until 2:15 this afternoon.

AFTERNOON SESSION

Tuesday, January 11, 1927.

The Senate re-assembled at 2:15 P. M., Lieutenant Governor McDowell presiding.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Moore	Warren
Craft	Jack	Nixon	Williams
Edgar	Jackson	Oliver	Young

—32

RESOLUTION.

Mr. Teasley offered the following Senate Resolution:

S. 9. Be it Resolved by the Senate, That, in order to expedite the public business, the Chairman of the Committee on Finance and Taxation be authorized to appoint an Assistant Clerk to said Committee.

Which was, under a suspension of the rules, adopted.

Yeas, 29, Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hines	Mitchell	Walker
Caffey	Holmes	Moore	Walton
Carlton	Jack	Nixon	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Stanley	Young
Ellis of Dallas			

—29

Nays:—None.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by

the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA,
Cullman County.

Personally appeared before me, the undersigned authority in and for said County and State, J. C. Norwood, who, being by me first duly sworn, deposes and says:

That he is the owner and manager of the Cullman Tribune, a weekly newspaper published in Cullman in said County and State; that notice given by W. E. James, State Senator in the Legislature from the Third Alabama Senatorial District, of the intention to apply to the Legislature of Alabama, convening on the second Tuesday in January, 1927, for the passage and enactment of a bill to elect the County Superintendents of Education of Cullman and Winston Counties of Alabama, respectively, by a vote of the people, which act was printed in full, a true and complete copy of which is hereto attached, was published in said paper for four consecutive weeks, commencing on the 9th day of December, 1926—being the first issue. The second issue appearing on December 16, 1926, the third issued appearing on December 23, 1926 and the fourth issue appearing on December 30, 1926; that said publication was authorized by the said W. E. James and published without cost to the State.

J. C. Norwood,

Sworn to and subscribed before me, this 8th day of January, 1927.

Fred E. James,
Notary Public.

This is to comply with Section 106 of the Constitution of Alabama of 1901.

PUBLICATION OF NOTICE OF INTENTION TO PASS LOCAL LAW.

To Whom it May Concern:

This is notice that the following local law will be introduced in the next regular session of the Legislature of Alabama, to-wit:

"Be it enacted by the Legislature of Alabama:

Section 1. At the general election for the year 1928, and every four years thereafter, there shall be elected a County Superintendent of Education for Cullman and Winston counties, Alabama, respectively, by the qualified voters of said Counties, who shall hold office for a term of four years from the first Monday in July next succeeding the election, and until a successor is elected and qualified.

Section 2. Candidates for the office of such Superintendent of Education shall be nominated as candidates for other county offices of Cullman and Winston Counties under the general laws of this State regulating primary elections.

Section 3. Such County Superintendent of Education must be a qualified elector of the county in which he resides and possess all the other qualifications required under the general laws of this State for County Superintendents of Education; and they shall perform and discharge all the duties of County Superintendent of Education, under the general laws of this State. Provided that if there be a vacancy in said office from any cause whatever, the County Board of each of said Counties is authorized to fill such vacancy as is provided by the general laws of the state.

Section 4. Such County Superintendent of Education shall devote his entire time to the public school business of Cullman and Wiston Counties,

respectively, and shall receive such compensation as the County Board of Education shall fix, which shall not be less than twelve hundred dollars nor more than three thousand dollars annually, and shall be paid at the time and in the manner provided by the general laws of this state for the payment of salaries of County Superintendents of education. The County Board of Education of such Counties, respectively, shall determine the amount and salary of office help, if any, to the County Superintendent of Education of Cullman and Winston Counties, respectively, and the same shall be paid at the time and in the manner provided in the general laws of such State for the payment of such office help.

Section 5. All laws and parts of law in conflict with the provisions of this Act, insofar as they relate to Cullman and Winston Counties, be and the same are hereby repealed."

W. E. James,
State Senator of the Third Alabama Senatorial District.

THE STATE OF ALABAMA,
Winston County.

Personally appeared before me, the undersigned authority in and for said County and State, W. E. P. Lakeman, who, being by me first duly sworn, deposes and says:

That he is the owner and manager of the Advertiser Journal, a weekly newspaper published in Haleyville in said County and State; that notice given by W. E. James, State Senator in the Legislature from the Third Alabama Senatorial District, of the intention to apply to the Legislature of Alabama, convening on the second Tuesday in January, 1927, for the passage and enactment of a bill to elect the County Superintendents of Education of Cullman and Winston Counties of Alabama, respectively, by a vote of the people, which act was printed in full, a true and complete copy of which is hereto attached, was published in said paper for four consecutive weeks, commencing on the 9th day of December, 1926, being the first issue: the second issue appearing on December 16, 1926, the third issue appearing on December 23, 1926, and the fourth issue appearing on December 30, 1926; that said publication was authorized by the said W. E. James and published without cost to the State.

E. P. Lakeman,

Sworn to and subscribed before me, this 10 day January, 1927.

J. A. Posey,
Notary Public.

This is to comply with Section 106 of the Constitution of Alabama of 1901.

PUBLICATION OF NOTICE OF INTENTION TO PASS LOCAL LAW.

To Whom it May Concern:

This is notice that the following local law will be introduced in the next regular session of the Legislature of Alabama, to-wit:

"Be it enacted by the Legislature of Alabama:

Section 1. At the general election for the year 1928, and every four years thereafter, there shall be elected a County Superintendent of Education for Cullman and Wiston Counties, Alabama, respectively, by the qualified voters of said Counties, who shall hold office for a term of four years from the first Monday in July next succeeding the election, and until a successor is elected and qualified.

Section 2. Candidates for the office of such superintendent of education shall be nominated as candidates for other county offices of Cullman and Winston Counties under the general laws of this State regulating primary elections.

Section 3. Such county superintendent of education must be a qualified elector of the county in which he resides and possess all the other qualifications required under the general laws of this State for county superintendent of education; and they shall perform and discharge all the duties of county superintendent of education, under the general laws of this State. Provided that if there be a vacancy in said office from any cause whatever, the county board of each of said Counties is authorized to fill such vacancy as is provided by the general laws of the state.

Section 4. Such county superintendent of education shall devote his entire time to the public school business of Cullman and Winston Counties, respectively, and shall receive such compensation as the county board of education shall fix, which shall not be less than twelve hundred dollars nor more than three thousand dollars annually, and shall be paid at the time and in the manner provided by the general laws of this State for the payment of salaries of county superintendents of education. The county board of such Counties, respectively, shall determine the amount and salary of office help, if any, to the county superintendent of education of Cullman and Winston Counties, respectively, and the same shall be paid at the time and in the manner provided in the general laws of such State for the payment of such office help.

Section 5. All laws and parts of laws in conflict with the provisions of this Act, insofar as they relate to Cullman and Winston Counties be and the same are hereby repealed."

W. E. James,
State Senator of the Third Alabama Senatorial District.

By Mr. James:

S. 5. To amend subdivision 7 of Section 7407 of the Code of Alabama of 1923 relating to divorce and alimony.

Revision of Laws.

By Mr. James:

S. 6. To repeal Section 2949 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. James:

S. 7. To repeal Section 130 of the School Code of Alabama of 1924.

Revision of Laws.

By Mr. James:

S. 8. To amend Section 92 of the School Code of Alabama of 1924, relating to appointment and dismissal of teachers, and assistant teachers.

Revision of Laws.

By Mr. James:

S. 9. To amend Section 107 of the School Code of Alabama of 1924, relating to school trustees.

Revision of Laws.

By Mr. James:

S. 10. To amend Section 2948 of the Code of Alabama of 1923, relating to pensions for confederate soldiers and sailors, and widows of confederate soldiers and sailors.

Finance and Taxation.

By Mr. James:

S. 11. To repeal Section 144 of the School Code of Alabama of 1924.

Revision of Laws.

By Mr. Edgar:

S. 12. "To amend Sections 855 and 872 of the Code of Alabama, and to repeal Section 871 of said Code, and to repeal all laws and parts of laws in conflict with the provisions of this Act."

Revision of Laws.

By Mr. Oliver:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the deaf located at Talladega, Alabama.

Finance and Taxation.

By Mr. Oliver:

S. 14. To Provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

Finance and Taxation.

By Mr. Warren:

S. 15. To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

Revision of Laws.

By Mr. Young:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

Penitentiary, Prison, Prison Punishment.

By Mr. Fite:

S. 17. To regulate the sessions of the Circuit Court in all counties in this State having more than 200,000 population according to the last or any succeeding Federal census.

Revision of Laws.

By Mr. Fite:

S. 18. To provide State relief for the Blind.

Finance and Taxation.

By Mr. Fite:

S. 19. To amend Section 7287 of the Code of Alabama.

Revision of Laws.

By Mr. Fite:

S. 20. To provide for the employment of subordinate employees of the Legislature.

Rules.

By Mr. Fite:

S. 21. To regulate the answer of garnishments in Justice Courts and Inferior Courts created in lieu of Justice Courts in all

Counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

Judiciary.

By Mr. Fite:

S. 22. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Fite:

S. 23. To fix and limit the time a judgment rendered in a court of this State, which is not a court of record, shall be a lien on property of the defendant where a certificate of the judgment is filed for record in the office of the judge of probate in any County in this State, in pursuance of and in conformity with authority conferred by law.

Judiciary.

By Mr. Fite:

S. 24. To amend Section 1 of an Act entitled "An Act, to provide for the election of a solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation," approved September 25, 1915.

Judiciary.

By Mr. Stanley:

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

Military.

By Mr. Stanley:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

Military.

By Mr. Stokes:

S. 27. To repeal an Act entitled an Act, "To Impose a license or privilege tax on all deeds, bills of sale, and other instruments of like character admitted to Record in the Probate Offices of the State," approved September 14, 1923.

Judiciary.

By Mr. Teasley:

S. 28. To amend Section 1530 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Teasley:

S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such insurance agents; and to provide penalties or violation of laws and regulations governing insurance agents.

Banking and Insurance.

By Mr. Teasley:

S. 30. To provide funds for the repair or improvement of the Capitol.

Finance and Taxation.

By Mr. Williams:

S. 31. To amend Section 906 of the Code of Alabama of 1923.

Finance and Taxation.

By Mr. Craft:

S. 32. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

Public Roads and Highways.

JOINT SESSION

The hour of 2:30 having arrived, on motion of Mr. James and pursuant to Joint Resolution heretofore adopted, the Senate adjourned to the Hall of the House of Representatives for the purpose of hearing the Message of the Governor.

The Joint Session was called to order by Hon. Charles S. McDowell, Jr., President of the Senate, who directed the Secretary of the Senate to call the roll of the Senate, when the following members answered to their names, to-wit:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Fite	Justice	Teasley	
Brown	Hall	Loflin	Walker	
Caffey	Hines	Mitchell	Walton	
Carlton	Holmes	Moore	Warren	
Craft	Jack	Nixon	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Stanley		—31

The Speaker of the House then directed the Clerk of the House to call the roll of the House of Representatives, when the following members answered to their names, to-wit:

Messrs:			
Mr. Speaker	Byars	Frey	Hollis
Adcock	Cannon	Golson	Howard
Allen	Carter	Goode	Howell
Anderson	Cockrell	Goodwyn	Hubbard
Ashcraft	Cook	Graves	Hughes
Baldwin	Darden	Grove	Jeter
Bartlett	Deloney	Gullatt	Jones (Bullock)
Beebe	Denson	Guy	Jones (Cleburne)
Brunson	Desear	Hampton	Jordan (Etowah)
Bryant	Edmundson	Harwood	Jordan (Washington)
Burleson	Edwards	Hawkins	Kirkpatrick
Burns	Fite	Hightower	Langdon

Lawler	Mullen	Rivers	Stewart (Calhoun)
Lee	Nipper	Rogers (Elmore)	Thompson
Lovelace	Norman	Rogers (Mobile)	Tompkins
Luck	Owens	St. John	Tunstall
McAdory	Parish	Sanders (Conecuh)	Vickers
Martin	Patterson	Sanders (Pike)	Waddell
Matthews	Pegues	Sanderson	Wallace
Merrill	Pitts	Shepherd	Ward (Geneva)
Miller (Marengo)	Poole	Shivers	Ward (Tuscaloosa)
Miller (Sumter)	Powell	Simpson	Ware
Molette	Quillin	Smith	Webb
Monk	Rankin	Starnes	Weldon
Morrow	Reeder	Stephens	Winn
Moxley	Ringer	Stewart (Bibb)	—103

The President of the Senate announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the Joint Session was to hear the Message of His Excellency, the Governor.

Thereupon, Governor Brandon was escorted to the Chair and delivered his message in words and figures as follows, to-wit:

MESSAGE OF THE GOVERNOR.

To the Members of the Legislature:
Gentlemen:

It gives me great pleasure to welcome you back to the Capitol and to congratulate you upon the spirit and harmony that has pervaded your organization during the Extra Session so recently held. This spirit of cooperation means much for the State and I am sure that wisdom and sound business judgment will govern your actions during your regular session. I am sure that if the same harmony prevails, the same thoughtful consideration is given that characterized your Extra Session, this State will be the beneficiary.

I have full confidence in your fidelity, patriotism and wisdom. You as law makers are charged with grave and solemn obligations. You make the laws—the Governor executes your will as enacted into law. The people then are dependent upon, in a large measure, the laws you enact and the fidelity and faithfulness with which they are executed. Therefore, Legislative and Executive authority should approach these duties with a feeling of fairness to all, having in mind the good of the Commonwealth and the betterment of our race. During the term of my administration much has been accomplished—Much more is to be done. Every platform promise made by the Democratic party has been fulfilled, and it may not be amiss to recapitulate.

TAXATION

1. We entered upon the duties of this office pledged to the people of this State that farm property and homes should not be raised in taxation except where improvement and increased value demanded—This promise has been fulfilled and farm lands have not been increased. The Legislature

of 1923 passed laws giving us a Tax Commission that has not ruthlessly levied higher taxes upon that class who are unable to bear it. Taxes were assessed and equalized without court procedure and property has been held at its fair value and no complaints are being heard among our people. New capital is being attracted to our State, tax values are growing daily and our repealing of certain exemption laws, together with new industries producing pay rolls are rapidly advancing our tax assessments to enormous figures. This is shown by the figures taken from the report made by the State Tax Commission, which shows that our total assessments for 1922 were: $943,516,122.00, while for 1926 it was $1,108,005,144.00, or an increase in the last four years of $162,278,892.00 in tax values and no lands have been raised, this advance coming from new industry and new tax values. If this policy is pursued and capital is invited to invest here and industries continue to come in, we will soon have enough revenue to meet every demand of the State. It occurs to me that if we hold a low rate of taxation we will encourage industry to locate within our borders, increase our tax values and make pay rolls for our people.

I invite your close scrutiny of our tax assessments and the work of our Tax Commission and believing that the last revenue bill is worth your careful consideration, I am recommending to you its re-enactment, for under its provisions we have been able to meet the obligations of the State under appropriations heretofore made, paid off certain outstanding indebtedness and added to the State's real estate holdings.

I realize that in order to carry on Government revenue is necessary and the demands of the State now are greater than ever before. Advalorem tax has been carrying the burden of taxation for years. Equality in taxation is fundamental. Stocks and bonds, hoarded money and solvent credits should be taxed. Other sources may be suggested, but bear in mind that heavy taxes on homes and farm and industry weakens rather than builds your tax assessments. I am of the opinion that taxes are now more nearly equalized than ever before in the history of the State. There is less complaint—No suits are pending. I, therefore, recommend the retention of the present Tax Commission law and ask of those to follow, a close study of their administration of same. I call your attention to their report and the recommendations they make. It is worthy of your most careful consideration.

ASSESSMENT OF SHARES OF STOCK.

The assessment of shares of stock of domestic corporations and banks was placed in the hands of the State Tax Commission and it has served to obtain a greater uniformity and equalization in these assessments. It has brought satisfactory results to the State and the tax payers. There is in our opinion no necessity for a change of this law, unless it be for the possible extension of the time for filing such returns, to agree with that for filing the regular tax returns.

FRANCHISE TAX

The Franchise Tax has worked satisfactorily and this administration increased this tax 57.7% over the previous administration and I refer you to the tabulation made in the report of the State Tax Commission.

AUTO LICENSE TAX

I respectfully call your attention to the report of the State Tax Commission of the Auto License Tag Tax—This fund, as you know, is set aside

to pay the interest on Highway Bonds, allocate said bonds, maintain the Highways and pay the expenses of the Highway Department.

The total collections from this source, as shown by the report of the Commission for the past 4 years, was: $7,044,315.82, of the amount so far as the expense of operation and administering the law, there was an expense in the 4 years of only $138,010.39—This includes the purchasing and distribution of Tags, salaries of clerks, freight on tags and postage, printing of receipts, etc.

Out of these collections $2,700,000.00 Bonds of which only $600,000.00 was due, have been retired and are no longer liabilities of the State.

GASOLINE TAX

The Act levying an Excise Tax of 2 cents per gallon on gasoline was passed February 10th, 1923. This tax is allocated in equal proportions to the several counties of the State and as a consequence in the four years, each County in Alabama has received $93,653.92. This tax is intended to build lateral roads, and Commissioners Courts should be required to use it for this purpose and for road construction and maintenance alone. I trust no diversion of these funds will be made.

The Tax Commission as now organized has functioned without a single law suit, without complaint, and I can but commend their policies and the laws under which they acted to your consideration for reenactment and continuance.

Under the Constitution, the Governor, is required to submit to the Legislature a Revenue Bill for its consideration. I, in accordance with this provision, transmit to you herewith the Revenue Bill enacted by the Legislature of 1923, which has been productive of much revenue without complaint, and I recommend it to you for passage with such minor amendments as you deem proper.

EDUCATION

The education of our youth is the most important subject perhaps with which you will have to deal. While this State has made great strides in the education of our people much remains to be done in order that every boy and girl may be given an opportunity in life. An educated citizenship is the greatest asset of any commonwealth. The people have shown that they earnestly desire a system of education that will carry the schools to the remotest corner of the State.

We now have a School State Tax of three mills, and a County Tax of three mills and a District Tax of three mills in addition to the poll tax for our elementary schools and even with this some of our communities only have a five (5) months school. This should not be. All our schools should be open and free at least seven (7) months in the year.

Every dollar should be made to count and all duplication and overhead expense and extravagance, if such there be, should be discontinued. The Educational System should be carefully scrutinized and every unnecessary expense curtailed and every duplication abolished and from the school to the University our system should be so related and connected as to make one harmonious whole. To do this will require exhaustive study, careful investigation and a thorough knowledge of our entire system in order to administer the funds in such a manner as to get the most possible good.

Alabama has taken no backward step in education during the last four (4) years. The people and the Legislature should know what is being spent for education in the State and to know further that there has been a steady

increase for Educational purposes. Some months ago, Hon. R. E. Tidwell, Superintendent-Elect, compiled for me the following figures to show the amount spent for Education during the last eight (8) years:

In 1919 there was spent for educational purposes in Alabama	$ 7,892,076.00
In 1920 there was spent for educational purposes in Alabama	10,092,733.00
In 1921 there was spent for educational purposes in Alabama	12,542,799.00
In 1922 there was spent for educational purposes in Alabama	14,590,013.00
Or a total for the four years prior to my administration	$45,118,568.00

A steady increase has followed.

In 1923 there has been spent for educational purposes in Alabama	$14,919,243.00
In 1924 there was spent for educational purposes in Alabama	15,738.598.00
In 1925 there was spent for educational purposes in Alabama	16,350,960.00
In 1926 there will be spent—estimated—for educational purposes in Alabama	17,078,407.00
Or a total for the four years of my administration	$64,687,208.00

Increase in revenue for four (4) years $18,968,640.00, or an average increase of Four Million ($4,000,000.00) a year for the four (4) years of my administration.

Thus it will be seen that there has been a steady increase in revenue for education, both during my term and the term of my predecessor. May we not then confidently hope if the same policies are pursued that under our tax system as now administered there will be a like increase during the four (4) years to follow. While this increase has been made, more needs to be done. Our demands are greater, our school population is increasing—our facilities are lacking. Alabama is rapidly developing, and the more industries we encourage and locate in the State the more revenue we will have for our schools. The source of revenue from which educational funds were drived is as follows:

1. Millage Tax, State, County and District.
2. State Appropriation.
3. Sixteenth Section Funds.
4. Fees, donations, etc.

Under the Constitution 3 mills of all the advalorem taxes go to the common schools. In addition, the Counties and Districts levy a tax—Hence it will be readily seen that as tax assessments advance, school revenue will proportionately advance. Increased revenues reported above come from this tax largely and tax assessments have been increased by virtue of exempt properties being placed on the tax books and new industries coming into the State.

ELEMENTARY SCHOOLS

The beginning of education is in the Elementary School and this should be our first care. The country school must not be neglected and should be guarded with zealous care, for from these schools come our high school and college students, and many do not advance further than our high schools.

I am informed by our State Superintendent of Education that much more money will be needed in developing our Elementary schools. I, therefore, earnestly recommend in order to give more money to our Elementary Schools and to enable every school in Alabama to have a seven (7) months school term, that One Million ($1,000,000.00) Dollars be appropriated out of the Treasury to be known as an Equalization Fund, to be used exclusively to bring every school up to a seven (7) months term. I further recommend that every safe-guard be thrown around the disbursement of this fund so that it may be used for this purpose and this purpose alone. This fund when raised should be sacredly guarded and used to give to the people in the poorer and remote sections of the State a school in keeping with more favored communities.

A State's first duty is to develop its citizenship and strengthen its manhood and womanhood, and, until we realize this, we will not measure up to our duties. With the exception of our three higher institutions of learning, the State Board of Education has charge of and supervision over our schools. The State Superintendent and his professional assistants exercise general control and supervision over our public schools. The personnel of the State Board of Education, in addition to the Ex-officio members, as now organized is as follows:

	Congressional District
Dr. D. T. McCall, Mobile	First
Jack Thorington, Montgomery	Second
W. L. Lee, Dothan	Third
A. L. Tyler, Anniston	Fourth
R. H. Powell, Tuskegee	Fifth
Cadwallader Erwin, Greensboro	Sixth
J. C. Inzer, Gadsden	Seventh
A. H. Carmichael, Tuscumbia	Eighth
L. Sevier, Birmingham	Ninth
L. B. Musgrove, Jasper	Tenth

Supt. John W. Abercrombie, Secretary and Ex-officio Officer, Montgomery, Ala.

The State Superintendent of Education, clerical and professional assistants are the agencies through which this Board acts, the Superintendent being Chief Executive Officer.

The State Board of Education has adopted a Budget and made certain recommendations which will, no doubt be transmitted to you by the Executive Officer. I invite your careful consideration to same and sincerely trust that their recommendations will meet with your approval.

HIGHER INSTITUTIONS

The University, Auburn, Montevallo and our Normal Schools are in great distress for lack of buildings and equipment. Students are knocking at their doors clamoring for admission. High Schools are yearly turning out young men and women yearning for a college education. None of these institutions are adequately provided for. Alabama should be second to no State in giving our sons and daughters every advantage.

The people of Alabama have recently responded liberally to the call of the University, Auburn and Montevallo, to a building fund. The authorities should not be forced to this procedure. These Institutions belong to the State and the State should amply supply funds for their maintenance and needs. The needs of these institutions are so apparent that we must meet squarely the responsibility—Unfortunately these institutions are now main-

tained out of the General Fund of the Treasury—The sources of revenue to this fund, not otherwise appropriated by Constitutional provisions, are meager and insufficient to meet the active needs of these institutions. While the public schools have received much more revenue during the last four years (due to a constitutional provision) our Higher Institutions have not received an advance, although their demands are greater than ever before. A careful and impartial study of the situation will show that if we appropriated the whole of the General Fund to these institutions it would hardly meet their immediate needs. These institutions will never receive what they really need until they are placed in a position to receive a portion of the millage tax. I do not believe that the people of Alabama would turn down a proposition to tax themselves for the maintenance of these institutions. I, therefore, renew my recommendation of four years ago that a Constitutional Amendment be submitted to the people for a millage tax to be equitably divided among the University of Alabama, Auburn and Montevallo and our Normal Colleges as their needs may appear. To my mind, these institutions will never receive sufficient revenue to meet their demands, until same is fixed by the Constitution and not dependent upon annual appropriations. I believe that the people of this State are willing to support their Higher Institutions of learning. The Legislature can submit an Amendment to the people, which, if adopted, will put at rest forever the question of appropriation and fix in the Constitution a provision that will secure ample revenue for these institutions without each Legislature trying to find some way to raised funds to give these institutions a scant support—If this plan were followed and our people were advised as to our needs for these institutions, I believe the citizenship would rally. The people are willing to tax themselves if they know where their taxes are being spent.

I give warning that until a fixed revenue is worked out for our Higher Institutions of learning that they will never receive proper and adequate support for their maintenance and needs. Lets take the people into our confidence bravely and honestly and go to them with our needs and watch the unanimity with which they will respond to the State's call. In the meanwhile, some provision must be made to take care of their immediate needs. The present appropriations are insufficient and I recommend that you appoint a committee to take care of the Budget furnished by the President of each institution and as nearly as possible, and in such sums as the Treasury will stand, make these appropriations. It might be well for this committee to call into conference the heads of each of these Institutions and ascertain their urgent needs.

I desire to state further that some of these institutions are carrying interest bearing notes and I most earnestly urge that appropriations be made to these institutions in order to enable them to pay off this indebtedness, thereby saving the interest which is being presently paid out of their maintenance fund. I cannot too strongly urge that these appropriations be made as early as possible and the debts be liquidated. This recommendation is intended to include the Agricultural School at Sylacauga, Alabama, who incurred a heavy debt in erecting a building on the campus for State purposes.

Let me say that our higher institutions of learning are doing the best work in their history and deserve your most careful consideration.

SCHOOL FOR DEAF, DUMB AND BLIND

The Industrial School for the Blind, Deaf and Dumb at Talladega, Alabama, should receive our earnest and active support in order to care for those who have lost their sight and who are unable to communicate by sound with their fellowman, these call for our heartfelt sympathy and every op-

portunity should be given them and their infirmities removed as far as is possible. The needs of this institution are grave. Senator Oliver will present a bill for their relief and I earnestly recommend its passage.

ALABAMA BOY'S INDUSTRIAL SCHOOL

No institution is doing more for the youth of this State than is the Alabama Boys Industrial School at East Lake, Alabama. It is making high-typed men of boys whose tendency was toward crime and idleness. The Superintendent of this school and his able assistants are rendering efficient service and I cannot too highly recommend them. We must prevent crime by saving the boy before he becomes a criminal. This school is doing that. The State must not neglect its wayward youth. This school is perhaps the outstanding school of its kind in the South. I ask that you send a committee of visitation to this school to find out its needs, and if possible, supply them. I know nothing that is more conducive to our future citizenship, than the reclaiming of the wayward boy from the environment of crime and educating him to some honorable vocation. Let us then nurture and care for these wards of the State and thereby render a service to humanity. In this way crime can be lessened, morals can be uplifted, homes can be made happier and communities strengthened, by caring for the wayward and outcast and training them for honest endeavor.

STATE TRAINING SCHOOL FOR GIRLS

The State Training School for Girls located near Birmingham, Alabama, is on my heart. It is doing a good work but not functioning as it should. The plan of its organization has not been properly worked out. It needs thoughtful investigation and a more definite plan worked out for its administration. I recommend that a special committee be appointed, to be composed of a member from each House, the Director of the Child Welfare Department, the State Health Officer, a member of the Board of Trustees and the Governor-elect, and after a careful investigation submit to you a bill for its future management, control and supervision. This school is badly in need of funds for replacing buildings recently burned and enlarging their facilities. This same Committee could work out these plans. This School appeals to us as deserving your every consideration and I commend it to you as an institution worthy of your very best thought and help.

ALABAMA SCHOOL OF TRADES AND INDUSTRIES

There is a State Educational Institution at Gadsden, Alabama, known as the Alabama School of Trades and Industries established to educate and train our white boys in their life's work in all the trades and callings which their talents and desires call for, to raise their earning power and better prepare them to share in the division of wealth of the State which properly belongs to them, and at the same time, add to the State's wealth and resources. This institution has passed the experimental stage and is doing a wonderful work.

I would recommend that the incoming Legislature provide sufficient maintenance funds and funds for buildings and equipment which will enable this institution to function in the way it was intended, as easly as possible.

In view of the efficient and patriotic work of Honorable Watt Brown, who has made this school his life work and has made sacrifice for its success, I recommend that the name of the school be changed to Brown's Alabama School of Trades and Industries.

In conclusion let me add that during my administration all school teachers have been paid promptly and no educational appropriation has been delayed, nor have teachers been forced to discount their warrants.

SCHOOL BOOKS

Recently I authorized an investigation by the Attorney General and the State Superintendent of Education relative to the price being paid in Alabama for school books. It was ascertained that higher prices were being charged in Alabama for some school books than was charged in other States. The Alabama law contains a requirement which is intended to compel the sale of school books in Alabama at as cheap a price as the same book is sold in other States. This provision of the law states that the price is to be the same in other States "Where like conditions prevail as are prevailing in this State."

Some of the publishers who are discriminating against Alabama contend that they are not violating their contract because of this particular provision inasmuch as an alleged different method of distribution of books has been agreed upon by the publishers and State Board of Education as the best method of handling such distribution, which in some minor particular differs from the method of distribution in States securing a cheaper price.

It is the opinion of the Attorney General that this discrimination against Alabama is in violation of the present contract and several of the book companies have met the State's contention by adjusting and lowering their prices. I have authorized suits against those publishers which have not given Alabama the benefit of the lower price. In this connection I wish to advise that the laws of the State relative to school books be modified so that there will not exist any grounds for the technical contention which is now being made by some of the book companies to maintain a higher price for books in Alabama than in some of the adjoining States. And as far as possible the constant changing of school books be eliminated. I concur in the recommendation made to you in person on this subject by my successor.

STATE HIGHWAY DEPARTMENT

Perhaps the most intricate department, is that of the State Highway Department. It has been subjected to more criticism perhaps than any other, because of the difficult problems with which it has had to deal, and yet, in face of criticism and great difficulties, the Commission has done much constructive work.

In 1911 the Highway Department was organized. Its first members were R. E. Spraggins of Huntsville, John Craft of Mobile, V. B. Atkins of Selma, Dr. Eugene A. Smith of Tuscaloosa, and G. N. Mitcham from Auburn. These men have and deservedly have a high place among the leaders of thought.

The present Highway Commission is composed of Hon. Jno. A. Rogers, Chairman, Hon. L. G. Smith and Hon. R. P. Boyd, Associates—with Col. W. A. McCalla, Chief Engineer. These men have wrought constructively and history will write them as the pioneers in road construction in Alabama. Not one murmur of misappropriation of funds or wasteful use of money has been heard. To my mind, they should be commended for their splendid work.

Below is a resume which shows in some detail the work accomplished by this Administration and Highway Commission.

During the administration just closing twenty millions of the twenty-five million dollar Bond Issue have been authorized and sold; three millions

having been sold prior to October 1st, 1922 and there yet remain to be sold two million.

I desire to enumerate as briefly as possible the results obtained by the expenditure of this fund.

Prior to October 1st, 1922, the beginning of the financial obligations of this administration, there had been completed four hundred (400) miles of road in Alabama, one hundred thirty-five (135) miles of which were completed entirely from County funds and two hundred sixty-five (265) miles were participated in by State Funds.

On October 1st last there had been completed out of State funds on Federal Aid Projects one thousand two hundred forty-eight (1248) miles and on State Projects three hundred ninety-one (391), making a total of one thousand six hundred thirty-nine (1639) miles, not including the one hundred thirty-five (135) miles constructed by counties making an increase in mileage completed during the four (4) year period of one thousand three hundred seventy-four (1374).

There were about four hundred (400) miles of road under construction on October 1st, 1922 and there were eight hundred (800) miles under construction on last October 1st, or an increase of four hundred (400) miles.

When the present program is completed there will have been completed in the State of Alabama, as follows:

Completed by County Funds	135 miles
Completed by State Funds	1,639 miles
Under construction, State Funds	800 miles
	2,574 miles

In addition to the above bids will be received on January 12th and 14th on sixteen (16) road projects aggregating 102 miles which will be placed under contract by January 17th.

The amount of funds now available, including a small amount from the old balance brought forward from the other administration in the amount of $125,284.94, and refunds from the Federal Government and the two millions of bonds unsold will complete the program.

These facts are set out in detail on page two (2) of the Examiner's Report on the Highway Commission.

With reference to the book balance of over a million dollars to the credit of the Highway Commission on October 1st, 1922 it is a matter of common knowledge that this sum was not available in cash but the receipts which went to make up this balance had been expended for General Purposes, under a former Administration.

Therefore, when this balance is reduced it must be taken from the General Fund receipts and I have repaid about three hundred thousand ($300,000.00) Dollars of this amount from that source.

Maintenance of Roads:

The maintenance of our Public Highways is just as important a matter as the continued construction of them, and probably more so. It is only through the proper maintenance of highways that the original investment may be conserved.

About seventeen hundred (1700) miles of road have been taken over for maintenance during the past four (4) years, and on October 1st, there were being maintained two thousand (2000) miles.

This mileage is made up of the one thousand six hundred thirty-nine (1639) miles completed by State Funds, one hundred thirty-five (135) miles constructed by Counties under the supervision of the Highway Commission over one hundred (100) miles of trunk highways, which was not built under

the supervision of the Commission but which it was necessary to maintain in order to make continuous travel possible and about one hundred fifty (150) miles of projects which are still classified as under construction.

That good roads well maintained have a direct influence on the General Fund of the State is evidenced by the increase in the assessed valuations and taxes collected.

I wish to call your attention to the recommendations of the Commissioner of Maintenance, Hon. R. P. Boyd, in a letter embodied in the Auditor's report which states that by October 1927 the Auto License tax will not provide sufficient funds for maintenance of roads constructed after that date.

Within another year about a million dollars per year will be needed for maintenance of state roads and this sum will continue to grow so long as roads continue to be built and the present ones become older.

I am of the opinion that some definite provision should be made for the continued maintenance of roads independent of any fund created to pay interest and retire bonds for road construction.

To quote from the last paragraph of a letter from R. P. Boyd, Commissioner in charge of Maintenance which is made a part of the Examiners Report, which reads as follows:

"If Alabama is to keep pace with the march of progress, the road system so well begun must be connected, but to build without adequate provision for maintenance will in the end, defeat the very purpose of construction."

At the beginning of this administration the Highway Commission consisted of twelve (12) members.

The Legislature of 1923, in its wisdom, changed the form of the Commission and reduced the membership to three (3). It was the opinion of that body then and is mine today, that such a Commission can function more efficiently and effectively and I recommend the continuation of the present form.

In this connection I wish to refer to the criticisms that were heaped upon this Commission until the report of the Examiners of Accounts was made public. After careful and painstaking study a very exhaustive report has been submitted by Messrs. Hankins and Henry on the activities of the Commission. This report is too voluminous to be made a part of this message except as a separate document. It is in the printers hands and a copy will be furnished each of you as soon as it comes from the press. I request that you give this report the most careful study as it treats in detail of the work of the Commission.

I quote from that report however, some of the comments made with reference to the personnel of the Commission.

"We have not been unaware of the criticisms of the Department that have been given circulation and the further fact that these inferences of inefficiency and mismanagement have, in too large a measure, fallen on fertile soil.

We are sorry that there will be those who will look for, and expect to find, references in this report to such matters; and we are delighted to be able to inform Your Excellency that, after exhausting all our resources, we have failed to find one scintilla of evidence of graft, maladministration, or misappropriation of funds. We refer, of course, to the expenditure of the funds as authorized by the Statute. We would not if we could, and could not if we would, comment on the wisdom of all expenditures. That is a matter of policy strictly in the hands of the Commission and the question of whether the types of the road, the alignment or grade, was correct is an Engineering problem and does not come within the purview of this examination.

That mistakes have been made by the Commission is more than likely, for "it is human to err", but even these have a value in that through our mistakes we become more perfect by learning to avoid them.

We are convinced of the fact that Hon. John A. Rogers, Chairman, and Hon. L. G. Smith and Hon. R. P. Boyd, Associate Commissioners, and their predecessors in office, are men and citizens whose integrity is beyond question, and who have been, and are, devoting their time and energy to their work in a patriotic spirit and with the purpose of rendering their best service to the entire State. All of these gentlemen have been identified in some way with every progressive movement for the betterment of roads in Alabama. Some of them as engineers, have been employed for many years, and in this capacity have given the State the benefit of their experience and technical training, but we doubt if any State can boast of a citizen that has given to it a service with less manifestation of selfish interest, or devoted a greater part of this time and talent, with the same degree of consciousness of a public trust, and to our belief, without hope of future reward, than has Chairman Rogers. While in some instances we have and do disagree with his policies we do not question his sincerity.

We are sure that the future years will bring about a full appreciation of this service in the minds of the citizens of Alabama and that upon the foundation he and his associates have laid for Highway construction in Alabama will be builded a monument of progress upon which the names of John A. Rogers and his associates will be indelibly carved."

I wish to add my endorsement to this tribute and know that those of you who really know the gentlemen who have composed the Highway Commismission will agree with me.

"The completion of the work underway at the end of your period will practically exhaust the funds available for highway construction from the twenty-five million dollar bond issue heretofore authorized, and from such surplus money as became available from automobile license fund after this fund had supplied a sinking fund to retire the twenty-five million dollar bond issue, funds to pay interest on outstanding bonds, and funds for maintenance of completed highways and for the operation of the Highway Department.

"We wish to call your attention to a report of your Auditors showing the expenditure in each County. Where the Counties have not received their quota according to the law, we have left unexpended bonds or auto license funds to cover the appropriation legally due those Counties.

"The Federal Aid System which comprises the main arterial Highways of the State, comprises 3958 miles. With the work completed and now under construction, there will be approximately 1200 miles of gaps in the Federal Aid System. The Commission wishes to stress the importance of completing this System by filling in all gaps that remain in the highways now and will remain after the completion of highways now under construction, as rapidly as moneys can be made available for this purpose, in order that the citizens of the State may have the benefits of the completed highway system that will enable them to get to all large centers of the population by good, usable, all year around highways. In order to accomplish this as quickly as possible, we would stress the advisability of continuing to construct in accordance with the Stage Construction Plan, which is to build highways and surface with such type of surfacing as will give the needed service at the present time and for some years to come, only putting the high type expensive pavement on those roads where present traffic, or traffic soon to be anticipated may justify such pavement, using the valuable gravel, sand, clay, chert and stone deposits of the State in making temporary surfaces on those roads where the traffic justifies such surfacing.

"This plan of course, contemplates the ultimate paving of all of the main arterial roads in the State as traffic conditions demand and as financial conditions permit. The object of our recommendation being to first build a foundation, and drainage structures, which are the same for all types of roads and which when finished with some so called temporary surface, will as stated above, enable the people to get the use of the general system of roads at an earlier date than would be possible by paving all roads as they are constructed.

"In constructing pavements, it has been the policy of the Highway Commission, concurred in by Federal Bureau of Public Roads, to ask for bids on several types of pavement which are recognized all over the country as standard types, the purpose being to secure competition, which we feel could not be had should the Commission ask for tenders on only one type of surfacing. We believe that this policy has saved the State vast sums of money in the paving that has been done, and that if this policy is adhered to, the State will profit immensely thereby."

I submit the above extracts from the Commission's report for your earnest consideration.

The motor bus traffic of the State has developed and is developing very rapidly and these vehicles being very heavy and operated at high rates of speed, are damaging the highways very much more than a similar number of ordinary privately owned vehicles do. In concurrence with the Highway Department's recommendation, I recommend that some action be had looking to the regulation of this service, and that some system of licensing or taxing them be adopted that will cause them to reimburse the State in some measure for the damage done to the highways and that they be regulated as Common Carriers.

Within the last few years a great many small towns and communities traversed by the State Highways, have installed very restrictive speed limits for those using the State constructed highways and these regulations have been enforced in such manner as to cause the people at large to call them "speed traps", and have been a great source of annoyance to the traveling public who are using the State Highways.

I would recommend that some action be taken to put the fixing of speed limits on State constructed highways under the jurisdiction of the Highway Department, or some other State Agency, so that uniform and properly thought out regulations may be provided for the use of the State Highways, rather than haphazard regulations that are now being enforced. I also concur in the recommendation being made by the Alabama Association of Mayors and ask your earnest consideration of same.

Any mention of Alabama's roadbuilding would be incomplete without the mention of that great engineer, the late lamented W. S. Keller. To him perhaps, is due as much praise as any other man. As Chief Engineer from the inception of Highway Development in Alabama he gave of his thought, his energy and his time, and to him is more largely due the progress in Highway development. He has left his monument in roads and bridges all over Alabama, and his services are remembered by our people. He died in the service of his State as Chief Highway Engineer and has left to history a name that will endure. Peace to his ashes.

STATE BOARD OF ADMINISTRATION

The State Board of Control and Economy was abolished by the Legislature of 1923.

The State Board of Convict Supervisors was established in its place, retaining the best features of the old act and abolishing the other features which were found to be undesirable and impracticable. Later in the Session

of 1923, the name was changed to the State Board of Administration because it not only supervises the operations of the Convict Department, but has charge of all State property, unless otherwise provided, and is the general business agency of the administration.

The Board is composed of two members, a president and associate member, and those members have direct charge of the two departments of the Board; the President is in charge of the Executive Department and looks after the general business interest of the State; the Associate Member being in charge of all matters pertaining to the operation of all the State prisons and the activities connected with them. The Governor is ex-officio member of the Board.

Executive Department:

This department is under the supervision of the president, Hon. L. A. Boyd, and is charged with making all contracts, sale or purchase, of State owned property unless otherwise provided, purchase of supplies for all departments, the keeping of accounts covering the activities of the Board and administration of the State Insurance Fund.

Contracts made for leasing coal mines in which convicts are employed are referred to more specifically in the comment on the convict department.

Contracts for the sale of products manufactured by convict labor are handled through this department also.

Sale and purchase of farm lands in connection with the convict farm will also be referred to again under that department.

Purchasing Department:

All supplies and material for most of the departments are purchased through this Board. Purchases are made on basis of sealed bids and that this Department is functioning to the profit of the State is probably most clearly demonstrated by the increased volume of business handled by it. The total purchases made through this department during this administration have exceeded nine million dollars and is an increase of about three million dollars over the previous administration, although the purchasing for Educational and Eleemosynary Institutions have been discontinued since 1923.

The Accounting Department keeps a financial record of all activities of the Board.

The State Insurance Fund has been in operation for three years. This law brings the insurance of all State owned property, except the University of Alabama and the Alabama Polytechnic Institute, including State owned rural school houses, under the supervision of this Board. All State property has been inspected and values adjusted for insurance purposes. As a result of the operation of this Fund and this inspection the protection on all State owned property was increased 74.9% and the protection on rural school houses increased 138.61%.

With the exception of about five millions of dollars of excess insurance, which is reinsured in a standard insurance company, all of this is carried in this fund.

The total valuation of property covered by this fund is twenty-one and a quarter million upon which there is about sixteen and three quarter millions of insurance, over eleven millions of which is written at a discount of 40% from the manual rate.

There was appropriated by the Act creating the Fund one hundred thousand dollars to be used only in the event the premiums collected would not pay the losses and to protect the fund against an unusual loss.

All losses have been promptly paid and not one penny of the contingent appropriation has been used.

The operation of this fund has saved the tax payers of Alabama during the three years of its operation nearly two hundred thousand dollars in discounts and there was a net cash balance on hand October 1, 1926, of approximately, fifty thousand dollars. In addition to the above, thousands of dollars have been returned to the tax payers in payment of fire and tornado losses on property which would not have otherwise been protected.

The State of Alabama is nothing more or less than a gigantic business enterprise, you gentlemen of the Legislature are the Board of Directors and the tax payers, whom you represent, the stock holders. With the above showing made by the operation of this fund before you, I believe you will recognize it as a sound business policy and one which should be continued.

Convict Department:

This department is under the direction of the Associate Member, Hon. Roy L. Nolen, who has had the direct responsibility of the administration of all State prisons and their allied activities.

Probably the most constructive achievement of this Board has been the change in the basis of employment of convicts. It was the desire of this administration that the State should be paid for the use of convicts employed in the mines on a free labor basis and at the same time improve the working conditions of the convicts.

To this end an investigation was made as to the amount per ton at which the coal could be produced. The operators were then approached on the proposition of leasing the mine premises and equipment and coming to an agreement on the price per ton.

On account of the fact that each mine was operated by different methods and under different conditions it was necessary to work each contract out singly.

The Belle Ellen Mine was the first to be taken over. In this contract the coal was mined and owned by the State until sold. This contract became effective on February 1st, 1924, and this year was the hardest one on coal sales of any time in the past decade. In spite of this fact the contract produced more revenue than would have been received under the old plan, but was cancelled August 31, 1925.

The Flat Top Mine was the next to be taken over on July 1, 1924. Then Banner Mines on March 1st, 1925 and Aldrich Mine on August 1st, 1925.

All of the mines have been in operation on the new basis less than one half of the time and yet the increased revenue, or earnings, accruing under these new contracts has amounted to more than four hundred thousand dollars over and above the old basis of leasing the men to the company and the prisoners have been under the direct supervision of State employees at all times.

Under the provision of these contracts Alabama took another great forward step in providing compensation for prisoners injured while employed, or for their dependents. I am advised by prominent prison authorities that this is the only State in the Union, and probably the only place in the world, where such a provision is made.

We believe this fund should be used for the purpose for which it has been set up and when the contracts expire whatever balance may be on hand should be distributed to those receiving, or who have received compensation, on an equitable basis taking into consideration their physical condition at the time such operation ceases.

State prisoners are permitted to earn money over and above their normal days task. Approximately fifty percent of those who complete their task before calling time prefer to rest after their normal days task than continue to work, the remainder earn approximately *one hundred thousand* ($100,000.00) dollars per annum.

In order to further protect the interest of the State, its employees and prisoners, catastrophe insurance was taken out covering each operation and group insurance, in which the employees participate in the premium, has been provided.

Old Prison Farm Number Five, which was non-productive and practically abandoned, containing 692 acres was disposed of for $132,500.000 together with two other small tracts in Elmore county containing 136 acres for about $4,500.00.

On the other hand nearly nine hundred acres were added to the Kilby farm lands, conveniently located on railroads and improved highways for less than was realized on sale of the above mentioned tracts.

It is the opinion of the Board that there will be enough timber and gravel on the new tract to pay for it and it is recommended that these resources be preserved indefinitely.

This administration has made one hundred thousand dollars worth of improvement in the erection and equipment of a modern dye house at Speigner.

This administration participated in the cost of Kilby Prison construction to the amount of more than one million of dollars and has made additional improvements in the physical equipment and improvements in the camp in the amount of about one quarter million of dollars.

Time forbids that this discussion be continued but a detailed report will be furnished each of you for your information and study.

I desire to commend in no uncertain manner the wise, careful and honest handling of this the most intricate and important department by Honorable L. A. Boyd and his Associate, Honorable Roy L. Nolen, who in purchasing and in administration have saved thousands of dollars to the State; I commend their system to their successors.

THE STATE CHILD WELFARE DEPARTMENT

The people of the State of Alabama have declared themselves in favor of giving every child in the commonwealth opportunity for full growth into useful and self-supporting citizenship.

Through decisions of the Supreme Court of Alabama run two well established principles of law: first, that a court of chancery sitting as the State's lawful over-guardian will do whatever is necessary to be done for the welfare of any child brought before it; second, that when the court comes to exercise this function, all other rights and interests are held to be secondary to those of the child.

The Legislature of Alabama, responding to the expressed wishes of the people, established a Department of State to promote the development of child welfare care in conformity with the two principles so often declared by the court.

The title of the act in itself expresses its whole purpose: "That in order that the State may more effectively exercise the duty and obligation which it owes to its minor children, who, for any cause are in need of its care and protection, there is hereby created and established a Child Welfare Department . . . . which shall have and exercise the several powers, functions, and other duties inherent in the State for promoting the welfare of such children."

While the duties of the Department are manifold, the fundamental principles underlying the whole program of work are *prevention* and *reconstruction.*

Its present activities are divided into four divisions, namely, Child Labor Law Enforcement, Visitation of Child-Caring Institutions, Juvenile Courts and Extension, and Children's Aid and Home Finding.

I wish to call your attention to the fact that the present Director, Mrs. A. M. Tunstall, has been in office only five months, as the first part of the fiscal year 1925-26 was under the direction of Miss Virginia B. Handley, who resigned to get married.

Child Labor Law Enforcement:

Alabama is one of fourteen states in the Union having a child labor law which meets the standards prescribed by the last Federal child labor law. It is not the intention of the law to prohibit children's work, but to avoid child labor in Alabama and to keep children in school. The keynote of the law is better training for children before they go to work. This training is absolutely necessary if, in the future, we are to have strong men and women, well matured in mind and body, and able to carry on the work of the world.

Eight years ago the educational requirements of the Alabama child labor law were 60 days in school for the school year. The requirements have gradually moved up until today the completion of the 6th grade is necessary before a child can leave school and enter industry. The scholastic year of 1919-20 showed that 30 per cent of the children entering industry that year had only attended school 120 days and could not write their names legibly. Provisions for the completion of the 6th grade only became effective September 1, 1926. The records of the certificates for the year 1925-26 show that 31 per cent of the children employed had completed the 5th grade, 28 per cent the 6th grade, 17 per cent the 7th grade, and 24 per cent the 8th grade. Illiteracy among children leaving school to go to work is disappearing in Alabama. Of the 16 year olds who went to work the last fiscal year, 31 per cent had completed the 8th grade.

Physical fitness for the work to be undertaken by the child is prescribed, and no child under sixteen is permitted to work more than eight hours a day. Boys under sixteen selling newspapers must be known to be regular attendants at school. The inspectors of the Department enforce all these measures.

At least three child labor inspectors are needed to do the field work of the Child Labor Division. The Division now has only two. These inspectors spend about two-thirds of their time in the work of inspecting those establishments in the state where children are employed or likely to be employed. The remaining one-third of their time is spent in the office doing such clerical work as is involved in record-keeping, following up inspections by correspondence, etc. A minimum of three inspections annually is made of all establishments where children are usually employed. From one to two inspections annually are made of other establishments where children are likely to be employed.

Approximately 300 manufacturing establishments, 98 of which are cotton mills, were inspected from one to three times during the year, making a total of about 500 inspections of manufacturing establishments only. Nearly 520 miscellaneous establishments, such as business offices, billiard halls, cafes, drug stores, groceries, mercantile establishments, telegraph offices, repair shops, theatres, and like places, were inspected, making about 1,100 miscellaneous inspections, and a total of about 1,600 inspections for the year 1925-26. In addition to this 411 homes were visited, 182 visits to issuing officers and 257 visits to other officials, making a total of 850 visits, were made. To do this, the two inspectors traveled 18,114 miles, spending 364 days in the field and 181 days in the office.

In making inspections of establishments, the inspectors visit the homes of many children found in employment, whose ages may be doubtful, to examine evidences of age which may be in the possession of the parents. Approximately five hundred home visits are made annually.

The heart of child labor law enforcement is in the correct issuance of the permit to leave school and enter industry which is given to the child by the superintendent of schools. The provisions of the law make necessary the use of a number of blank forms, and the law further provides that all forms used in the issuance of certificates be supplied by the Child Welfare Department, also copies of laws and schedules of hours for employment must be furnished. In addition, a small amount of literature for publicity is distributed annually.

Institution Division:

The main work in child-caring institutions has to do with the promotion of better standards, the rendering of all assistance possible to those in charge of institutions, particularly in determining where children come from, where they go when they pass out and the supervision of the last named group. It is the aim of the Department to go back of all institutions and make every possible effort to mend weak or broken homes before the children of such homes are unloaded on society for maintenance and education.

Julia Lathrop, first chief of the United States Children's Bureau, has said: "No child should be removed from its own home unless it is impossible to make the home safe for the child or his continuance in the home safe for the community."

An attempt to put this principle into practice is indicated by the combined efforts of the County Superintendents of Child Welfare, where there are such, the visitor of the Institution Division, and the Extension Secretary of the State Child Welfare Department. In studies made of children's cases adjusted by county workers with the assistance of officers from the State Department, it is shown that during the last fiscal year Houston County saved to itself 69 children of 12 families; Covington County, 33 children of 11 families; Walker County, 70 children of 21 families; Etowah County, 19 children of 9 families.

The workers of the Child Welfare Department and those people connected with institutions know full well that the time has not come in Alabama when the institutions do not have a distinct service to perform. For hundreds of children there is at present no other refuge. Further, there is, there always may be, a certain type of child which only the institutions can save, but more emphasis must be placed on *the home*—the preservation of the home when possible, and the placing of children, really placeable, in foster homes.

The promise of the present educational program in this particular was clearly indicated when a superintendent of a child caring institution in Alabama was asked to name what he thought to be the ideal institution for a child. Like a flash, the answer rang out: "The Home "

He knows that, for the present, institutional care in hundreds of cases is necessary. His ideal is the home!

And for the present, the institutions need the support of their patrons more sorely than ever before because the institutions are undertaking bigger and better jobs.

There are today 20 institutions caring for children in Alabama, and a number of so called Emergency Homes, which the Department Visitor advises with and assists in every way possible to promote right standards of work in child care.

Perhaps the most outstanding service rendered the institutions by the visitor from the Child Welfare Department has been the mental classification of problem children—a service the Department is proud to be able to render through its well-trained worker.

Juvenile Court or Extension Division:

Efforts to assist a destitute mother to keep her children or to force a deserting father to assume his natural obligations, lead the Department worker directly into the juvenile courts of the state. The law provides that the department shall promote the development of such agencies, advising with the judges and supervising the probation officers. The plan is to make the juvenile courts the central social agencies in children's matters. They are to be strengthened and made able to cope with difficult problems. They must seek and secure the hearty and cordial cooperation of every public and private agency in the community. They must become a part of a broad-guaged, well-coordinated welfare system which undertakes to build around the life of the child every possible influence for good and lead him steadily along the way of life to a self-supporting, self-respecting citizenship.

The Department has been assigned definite duties in the juvenile courts of the 67 counties of the State and also assigned the difficult but constructive task of studying conditions throughout the counties and of making known to the citizenship of the State such causes of dependency and neglect which may be discovered. The 1923 session of the Legislature enacted a very excellent juvenile court law amending the Act passed in 1915 which applies to all counties of the State not having special acts. There are three such counties, namely, Mobile, Montgomery and Jefferson.

In addition to this measure a law was enacted which makes permissible the organization of county boards of child welfare. This was done for the obvious purpose of permitting county courts of commissioners or boards of revenue, and boards of education to combine their interests and employ a county welfare worker whose duty it shall be to serve the juvenile court as probation officer and the schools as attendance officer. This effort to effect county organization for the purpose of meeting county child welfare problems in their local communities represents without doubt one of the most forward steps ever taken by the State of Alabama.

There are fourteen counties in the State today having organized juvenile courts or county welfare boards. They are as follows: Calhoun, Coffee, Covington, Dallas, Etowah, Hale, Houston, Jefferson, Lee, Mobile, Montgomery, Shelby, Tuscaloosa, and Walker.

Children's Aid Division.

The Children's Aid Division is in reality an extension of service offered the juvenile courts in the 67 counties. It undertakes for the entire state, as it should, the placing of homeless children in good homes and the working out of ways and means by which destitute mothers and their children may be saved to each other when there are no local family welfare units in the community to serve such families—seeking first in all cases the reservation of the family unit.

All the states in the Union today except six (and Alabama is one of the six) make provisions for helping worthy mothers to keep their children in their own homes.

But in Alabama there are no provisions on our statute books for assisting children of destitute mothers by means of funds from either the state or county treasuries, except by commitment to almshouses. Outdoor relief (that is, public money appropriated direct to the family) is prohibited in all counties operating almshouses. In other words, destitute children must be thrust into the county almshouses, if the county has such an institution and most of them have, before assistance can be furnished by the county. The burden of the work of this kind must be assumed largely by the children's aid division.

The State Child Welfare Department is committed to the principle that the home is the best place for the child. The Department proceeds upon

the theory that destitution in a child's home brought about by death, or desertion, or other causes, and through no fault of the child, should not be cause for breaking up the home. On the other hand, if there exists no possibility of rehabilitating the home, or if there is no home, the Department undertakes to place homeless children in normal homes, within the state, for adoption.

According to an estimate made in 1920 (arrived at by methods of computation too lengthy to state here, but which seem sound), there were at least 10,000 dependent, neglected and delinquent children in the State of Alabama in need of special care. Of these, not over 3,000 could be cared for by institutions. No other organized work for children existed. We have no reason to assume that the number of children in need has grown less.

As an indication of the need of saving children in Alabama, attention is called to the fact that the Children's Aid Division was actually in touch during the last fiscal year with 1046 children. This represents 1046 appeals for assistance in some sort in some way. It does not mean at all that the Department was able to receive this number—far from it—even if commitment to the Department had been the right thing. At the beginning of the last fiscal year, the Division had 362 children under supervision in their own homes. By keeping in close touch with these children, the Division was able to keep them in the homes, saving both homes and children to each other. And, during the fiscal year, the Children's Aid Division was able to go into local communities and save to their own homes, or to relatives' homes, 321 children. During the year, these homes were all so strengthened that the homes of 184 children were discharged from supervision,—that is, the families had been built up to the point that they were able to go on themselves and no longer needed guidance.

The Division actually had committed to it only a small number of children, the number being 138, and of these 39 were returned to relatives. During the year 126 children were placed for adoption. This does not mean that these children were all received this fiscal year. Some of them were on hand at the beginning of the year and some of the children committed during the year are still on hand.

In order to accomplish what was accomplished by the Children's Aid Division, the following visits were made and miles travelled:

Visits made in investigating applying homes	627
Visits made in investigating children's matters	1,405
Visits made in supervising children	3,526
Visits made to clinics and doctor's offices	430
Miles travelled	64,883

The Children's Aid Division has been unable to respond to the demands made upon it by the State because of the lack of adequate funds. Up to this time, the Department has been compelled to solicit private donations from the people of the State, in order to carry on at all. Last year over $20,000 had to be raised in this manner to carry the children committed to it through the fiscal year.

This ought not to be. If little children in need are to be manufactured into citizens, this Division must receive more means with which it can save child life.

Indeed, insufficient funds compels the restriction of the activities of the Department in all its divisions of work, and yet it carries bravely on looking to that brighter day when Alabama will be a better state for a little child to live in!

The Governor, in order to aid in administering this Department, has contributed annually something over $5,000.00 from his contingent fund.

I wish to call your especial attention to the 1925-26 Annual Report of the Director of this Department, Mrs. A. M. Tunstall, and ask that most careful consideration be given to same. I also call your attention to the quadrennial report submitted by her.

I desire to commend the work of this Department and recommend that an additional appropriation of fifty thousand dollars ($50,000.00) per annum be made for its administration and maintenance.

STATE HEALTH DEPARTMENT

The forward strides of the State Health Department during the past four years have brought a keen sense of satisfaction to the administration. Eleven new fulltime county health services have been organized bringing the number up to thirty; the counties comprised in the new territory covered are, Escambia, Limestone, Franklin, Marengo, Marshall, Coffee, Jackson, Lawrence, Lee, Chambers and Tallapoosa; this means that approximately 340,000 more of the state's population have been brought within reach of the benefits of a local agency which devotes itself to guarding the health of the people, preventing the spread of communicable diseases, fighting the dangers of soil pollution through the building of sanitary toilets and the administration of anti-typhoid vaccine; conducting campaigns for the eradication of mosquitoes and the prevention of malaria; carrying into the very heart of the country home the intimate instruction of nurses which contributes to the safety of mothers in childbearing and to the normal development of our future citizens during the period of their greatest helplessness. Alabama's rural health program has proved so successful that visitors from every country on the globe have come to observe it.

Approximately 939,000 Alabamians still live in counties which do not support a fulltime county health service; these are predominantly rural counties. Even here the state board of health has shown a commendable industry and adaptability to circumstances.

To all counties are available the results of the epidemiological studies based upon the reporting of communicable diseases by local physicians; five branch laboratories have been established making prompt diagnostic service available to the remotest citizen within a twelve hour period this includes the mailing of vaccines and anti-rabic serum as indicated. Here again the individual physician is the local representative of the state board of health and carries out a lifesaving measure formerly conducted at the central laboratory in Montgomery at three times the expense of the present practice; this change has more than doubled the use of the state laboratory by rural citizens.

In every rural county of the state indigent cases of venereal disease may find within a reasonable distance a co-operative clinic where treatment may be secured at a nominal fee, necessary medicines being furnished free from the state board of health and administered by a local physician who is under contract to perform this service at a small cost.

The rules and regulations of the state board of health with regard to the impounding of waters are responsible for the adoption of malaria control measures by the power companies concerned.

All city water supplies are by law placed under the supervision and control of the State Board of Health. This service is not contingent upon a local health organization.

A milk sanitation program has been devised which may be adopted by any incorporated town or municipality. This program has beneficial results which are twofold: health conditions are improved and the economic welfare enhanced through development of the dairy industry.

An inspector from the state bureau visits and rates every hotel in the state and enforces an established standard of maintenance for these as well as other food handling places.

The record of Alabama's investment in health service during the last ten years makes an interesting story; in 1917 the legislative appropriation to the State Board of Health amounted to 1.1 cents per capita; county funds supplemented by federal and voluntary agencies raised the per capita expenditure throughout the state to 8.4 cents. In 1925 the legislative appropriation to the State Board of Health amounted to 8.7 cents per capita; county funds supplemented by federal and voluntary agencies raised the per capita expenditure throughout the state to 33.9 cents.

A study of the records and reports of the State Board of Health together with even a cursory inspection of the records of the present economic status of our pople convinces me that every dollar of state funds which has been invested in health protective measures has actually brought to the state many times its equivalent in freedom from pain and sickness, higher levels of health and efficiency in our workers, lowered death rates, the saving of millions of dollars due to the saving of health, increased production of wealth due to increased health.

If Alabama is to go forward and not back it must continue to expand its health activities and extend the service now available to 60% of its popualtion so that the 40% now lacking a local service may supercede the efforts of the central office by a local organization.

Or in the continued absence of such an organization in a considerable number of counties it must more adequately finance the central office activities best calculated to compensate for lack of local health departments.

In most of our modern cities 50 cents per capita is regarded as a modest expenditure for health protection. Alabama has never exceeded 34 cents even including all funds from outside sources.

I believe that an aggregate investment of $1.00 per capita would be a reasonable and profitable one for this state and I believe further that our state health organization is capable of making such an investment pay dividends to our people that would enrich the lives of all of us.

A proposed program of expansion with very careful budgetting has been worked out by the State Board of Health for the next quadrennium, it involves taking over such work as has been built up by outside agencies and a reasonable expansion of the board's established activities; it calls for a gradual annual increase through the four years reaching a maximum of a little more than a quarter of a million dollars. I recommend the adoption of the entire program when submitted.

BUREAU OF INSURANCE

I have the honor to call your attention to the operation of the Bureau of Insurance, which is directed and presided over by Frank N. Julian, as Superintendent of Insurance.

For the four year period 1923-26 this Department of the State has shown most remarkable growth both as to revenue and to the services rendered the general public. To the head of this Department I desire to give credit for a most intelligent, constructive and progressive administration; Alabama's Insurance Department is recognized throughout the nation as one of the best managed State Departments, and the head of the Department has been signally honored by the National Convention of Insurance Commissioners, an organization of State officials which was established in 1870.

The Bureau of Insurance was created as a separate Department by Act of the Legislature in 1915. Since its creation, Acts of the Legislature of 1915, and from that date to the close of the year 1926, the total revenue from this Department has amounted to $6,406,797.42.

For the preceding quadrennium (1919-22) the total receipts of this Department amounted to $2,198,000.16, and the total expense of operation for the said period amounted to $3.24% of receipts. During the quadrennium mentioned, the expense of the workmen's compensation law was paid from the general funds of the State and is not included in the above computation.

For the quadrennium 1923-26 the total receipts of the Bureau of Insurance amounted to $2,968,226.30, and the expense of operating the Bureau of Insurance amounted to 2.93% of receipts. From 1923 to the close of 1926, however, the expense of the workmen's compensation law was passed over to the Bureau of Insurance, and this expense has been borne out of the receipts of this office; including both expense of operating the Insurance Department and the Workmen's Compensation Division, the ratio of expense to total receipts amounts to 3.49%.

It will be noted the increase in gross revenue in the last quadrennium named over the preceding quadrennium is, therefore, $770,226.14. For the last year, 1926, the receipts of the Bureau of Insurance were the largest in its history, amounting to $865,052.33. Increase of revenue in this Department has been brought about without any increase in taxation or license fees.

This Department of the State Government is one of the most important of the several Departments in that it has supervision and regulation of all insurance carriers operating in Alabama, and as insurance is a vital and necessary part of every business activity the Department should be given your most careful attention to the end that it may continue to function intelligently and progressively for the State. The Superintendent of Insurance has made certain recommendations in the Annual Report of the Department, which I concur in, and which I would direct your attention to as set out in the Annual Report of the Bureau of Insurance.

Like all growing Departments, certain legislation is needed, and I would, therefore, point out to you the legislative recommendations as contained in the several Annual Reports of the Bureau of Insurance for the quadrennium 1923-26, and I would especially call your attention to the following:

Code Amendments:

In the adoption of the 1923 Code, certain laws adopted by the 1909 Legislature were inadvertently omitted. These omissions occurred without intent on the part of anyone and should be reenacted in order that the mutual aid laws and other laws affected be brought up to date and restore to the Bureau of Insurance the supervisory powers granted in the former laws.

Fraternal Insurance:

I cannot too strongly recommend the repeal of that portion of the 1923 Code levying a premium tax on fraternal beneficiary societies. This provision for tax on fraternals does not appear in the 1907 Code, nor does it appear in any of the subsequent Acts of the Legislature. Careful inquiry leads me to the conclusion that its incorporation in the Code of 1923 was clearly an inadvertence. No State levies a tax on the small contributions of fraternal members, as it is clearly recognized that the funds of these societies should not be taxed but they should be given every safeguard and no undue expense placed upon these purely fraternal and beneficial trust funds. I am unable to see any good reason for retaining this provision in the law and thereby adding a burden in this State that is out of line with the policy of other States of this Union relative to fraternal benefit societies. I might add that under the construction put on the law by the Attorney General it has brought no additional revenue.

Medical Aid, Hospital Insurance, Etc.

There is urgent need for additional laws to give the Bureau of Insurance supervisory and regulatory authority over so called medical aid, hospital insurance associations and concerns of this kind, and, therefore, I request that you give your attention to this subject, which will be brought to your attention in the report of the Bureau of Insurance.

Agent's Qualification Law:

The enactment of a law governing insurance agents in this State is recognized as necessary by the agency force of the State and the licensed companies operating in the State. This enactment is being accomplished in practically all of the States, and wherever a sane qualification law is enacted it saves to the people of the State much money and raises the personnel of the insurance business.

For the year 1926 a total of approximately sixteen thousand agents' license were issued; this is an increase of approximately four thousand license over 1922, or at the rate of one thousand additional license per year for the last quadrennium.

Building Code—Fire Waste:

Your attention is directed to the unusually high fire losses in Alabama, and I would call attention to the necessity of legislation to reduce this almost criminal waste; to that end, I recommend the enactment of such building code laws as will in your judgment tend to decrease this abnormal waste of property, and such other regulatory laws as may be needed.

Workmen's Compensation Law:

For the quadrennium, 1925-26, the operation of the Alabama workmen's compensation law has been under the direction of the Superintendent of Insurance, who as Workmen's Compensation Commissioner Ex-Officio has also handled the detail of the workmen's compensation law. Above I have pointed out to you the expense of the operation of this law. Under the law the Superintendent of Insurance is charged with duties as regards rates and insurance companies. Faithful and efficient attention to this law has resulted in the saving to injured workmen of substantial sums of money, wherein the office has checked up payments and secured for the injured employees many settlements in cases where it appeared that the workmen had not been properly compensated under the terms of the law.

Much time and attention has been given by this office to an educational campaign pointing out how the insured industries could secure better rates and at the same time improve working conditions for the employees. With the limited funds allotted for this work the results have been most commendable, and in line with the suggestions of the Compensation Commissioner I would recommend that for the better operation of this law authority be given the Commissioner to employ at least two safety engineers and fire prevention experts. The work of such experts would undoubtedly create a reduction in rates to industries, both in compensation and fire insurance.

If the legislature continues the operation of the workmen's compensation law through the Bureau of Insurance, then I would respectfully recommend that certain amendments be prepared to this law looking to a better administration of same. The waiting period under the present law should be shortened and the maximum benefits thereunder should be increased; authority should be given the Compensation Commission to enforce compliance with the provisions of the present law, and this official should be required to bring to the attention of the proper courts certain cases arising under this compensation law.

Domestic Companies:

I would further call your attention to the marked progress being made by our domestic insurance companies, and point out that according to the last annual reports on file that the five domestic legal reserve life insurance companies show admitted assets of more than thirteen million dollars, with net reserves against their outstanding policy obligations of approximately eleven million dollars, and with capital and surplus of approximately two million dollars; the premium income of these life companies shows more than four and a quarter million dollars annually, and these companies are serving the citizens of this and adjoining States and making their investments in securities of this State, thereby aiding toward the development not only of their home State but of those States in which they operate.

The State is now the home of two legal reserve fire insurance companies, one of which has been in continuous and successful operation since 1866, and one of which was organized during the past year, both having ample capital and surplus; and the two fire companies are also contributing toward the financial upbuilding of the State and supplying to the citizens of the State sound insurance.

Our home companies, together with those companies of other States that are transacting business within our borders, should be encouraged, for these institutions are supplying to the citizens of this State not only insurance protection but a market for our own securities and contributing toward the upbuilding of the State financially, commercially and industrially.

FIRE CONTROL AND PREVENTION.

Annual reports of the Department of *State Fire Marshal* show a very helpful and hopeful sign. Fire destruction in the state and fire fighting equipment and upkeep expenses, all together, constitute one of the largest economic problems with which the state is confronted, running, as it does for destruction and prevention expenses, high into the millions annually. While we cannot be exact in our estimates and deductions, conservative experts say that this one item, exclusive of forest fires, would total twelve to fifteen millions ($12,000,000.00 to $15,000,000.00) dollars annually. Loss of human life in this way also is very great.

This is startling and, in my opinion, should arouse and bestir even the most careless and thoughtless individual to active work for fire prevention and control.

The splendid work of the State Fire Marshal of Alabama for the past four years in fire control and prevention efforts has been given international recognition, resulting in his election to the office of president of the Fire Marshals Association of North America, which organization has a membership covering the United States and Canada. I desire to heartily commend him for his fine and intelligent, as well as constructive and effective service to his state and the country and our neighboring country to the north. His reputation has, during this quadrennium, become international, as an effective worker in fire control and prevention.

While there are defects in all reporting services, the reporters of the Fire Marshal Department have been the same all of the four years and these reports show that there has been a decrease in losses during the quadrennium of approximately three and a half millions ($3,500,000) dollars. No claim is made that this is absolutely accurate but it shows the trend of efficiency in combating this terrible economic drain upon our people.

This Department is maintained by a special tax upon a special business interest for this special purpose. This special tax produces a fund of approximately thirty-eight thousand ($38,000.00) dollars annually. The State Fire Marshal, the State Board of Administration and the special business

interests supplying this special tax concur in the opinion that all of this money should be devoted to the efforts of the state in fire control and prevention.

During the quadrennium convictions for arson and fraud in the state courts has approximated a total of one hundred and twenty-five (125) years of hard labor sentences being imposed by these courts.

I recommend revision of the arson and Fire Marshal Department laws of the state in the following specific features:

This work being essentially different from the usual law enforcement endeavors, the word "Marshal" is misleading and it is recommended that the Department be given a name more in keeping with its actual work and duties.

That the arson laws of the state be revised so that more modern and model statutes might cover this subject.

That the Fire Marshal be given discretionary power for using portions of his funds for employment of special counsel for presenting cases to grand juries, etc.

That he be given the same powers with reference to employment of special detectives and investigators when it is found necessary by him.

That the annual salary of the State Fire Marshal be fixed by law at a sum equal to other Departmental heads and directors and that the salaries of deputies be made such that high class, intelligent, efficient and effective men may be employed for this class of work.

The high objective of this Department being a reduction of fire losses to such an extent as to result in lowered insurance rates, it is my belief and hope that, with these amendments and with this law intelligently and efficiently administered, we would be warranted in expecting such results in a comparatively brief time.

MILITARY DEPARTMENT

The National Guard is now organized under the provisions of the National Defense Act, 1916-24 of the United States and the revised laws of the State of Alabama, which have been rewritten and amended in compliance with provisions of the National Defense Act so that the State can enjoy the benefits of Federal Appropriations and the issue of Federal owned clothing, animals and equipment for all branches of the Military Service. The number of personnel and organizations, the kinds and types of such Units and their location throughout the State are as prescribed by the Secretary of War through the Militia Bureau after conference with the State Military Department.

Steady progress has been made in organization and reorganization work since October 1, 1922. Six (6) organizations have been reorganized in new stations, and twelve (12) new Units organized and given Federal Recognition. Benefitting by experience of the past, when it is found necessary to move the Station of a Unit and reorganize it, and when organizing a new Unit, every possible safeguard is taken in the preliminary work to assure permanency. Not only volunteer Military Manpower of the proposed station is gone into thoroughly, but a thorough investigation is made of the ability of the station to produce Commissioned Officers and insure the quality of leadership that is essential to success.

A very important condition and which is a source of gratification to the State is that during two of the years of my administration, these years being the only ones in which public reports were made, organizations of the National Guard of Alabama have been given efficiency ratings that placed these Units at the top of the list of National Guard Organizations throughout the United States.

Because of lack of Federal Appropriations only a few Units have been allotted to the State for "Immediate Organization" during the past four years. Appropriations from the National Government will in all probability be increased during the coming four years with the ultimate object of completing eighteen (18) Infantry and four (4) Cavalry Divisions of the National Guard throughout the United States. To meet this probable condition recommendations are made that sufficient additional appropriations be made available by our State Legislature to meet the proposed program of the Federal Government and enable the State to accomplish its part in this plan of National Organization for the "Common Defense."

PRESENT ALLOTMENT OF NATIONAL GUARD UNITS BY THE WAR DEPARTMENT.

The present allotment of National Guard Units to the State in my opinion are preferred Units, enabling this State to organize completely, within its own boundaries, such units as Battalions and Regiments. All Organizations in our allotment either belong to the 31st "Dixie" Division or the 23rd Cavalry Division. The results of obtaining complete Major Units in our allotment has enabled the State to group these Organizations by areas which has resulted in the upbuilding of morale and enabled the Federal and State Government to carry on maintenance, instruction and training work with the least loss of time and comparatively small expenditure of money in travel. The organizations are now in the best possible situation for maintenance and continued progressive development in efficiency.

STRENGTH

The strength in personnel of the National Guard has not been increased because of limitations placed on the various States of the Union because of lack of sufficient Federal Appropriations for Armory Drill and Field Training. However, the number of organizations has been increased during the past four years, this being accomplished by reducing the maintenance strength of each Unit in accordance with new tables of organization, making maintenance appropriations available for paying the personnel of the new Units, still keeping the total strength of the National Guard within the limits prescribed by the Federal Government, which during the past year was 2758 officers and enlisted men. The Federal Government has authorized the State to increase the maintenance strength on January 1, 1927 to 2824 officers, Warrant Officers and Enlisted men. The actual strength of our National Guard today is 2831 Officers, Warrant Officers and Enlisted Men.

PROPERTY AND FINANCE.

The amount of property issued the State by the Federal Government is valued at approximately $1,787,099.92, and the amount of Federal Funds handled by the U. S. Property & Disbursing Officer during the past four years is a total of $659,579.78. This amount does not include expenditures of Federal Funds by Army Finance Officers in the settlement of accounts for transportation, forage, caretakers and schools. With these expenditures added there has been disbursed by the Federal Government largely through the U. S. Property & Disbursing Officer connected with the Military Department approximately $1,000,000.00 in the past four years. These conditions emphasize the necessity of retaining in the Military Department experienced help endowed with capacity and high sense of responsibility as the State is bonded for the safe-keeping and proper use of this property and the handling of these large sums of money.

The State Property & Disbursing Officer is responsible for the State Military Appropriations and during the past four years has disbursed out of the total appropriation of $335,000.00 a total of $297,643.50. During the past four years $37,356.50 has reverted to the General Treasury, unexpended. This return does not include the cost of permanent arsenal and warehouse, which amounted to $33,799.43. Since this building is permanent, it should not be rated among Maintenance Expenses that occur from year to year, and in my opinion, should not be included in the actual maintenance expense of the National Guard. With this condition, the total returned to the Treasury and invested in this building would represent a practical return to the General Treasury of $71,155.93. The strictest economy has been practiced in the Military Department and no effort has been made to spend the total appropriation, simply because it was available. The reason for requesting appropriations that are possibly larger than may be needed for maintenance expenses is because Federal Maintenance Appropriations are made from year to year and probably will be increased, causing the State to be required to increase the number of Military Organizations and the State must be prepared with appropriations to bear its part of the maintenance expenses.

"OTHER FUNDS"

Money credited to World War Organizations of the Alabama National Guard known as "Other Funds" are being returned to the State and paid to reorganized Units in the World War Stations throughout the State, and to date we have received $29,779.30. The remainder of this fund, approximately $12,000.00 will undoubtedly be received within a reasonably short period of time.

STRIKE AND RIOT DUTY AND AID IN DISASTER.

The State has been fortunate in that emergency calls for the National Guard in aid of enforcement of law, protection of lives and property, and aid and relief of our citizens in disaster has been of a comparative minor nature. On the few occasions that Troops have been called, their conduct has been exemplary and the subject of the highest commendation by our citizenry, all duty being performed effectively and promptly.

BUILDING OF STATE ARSENAL AND WAREHOUSE

The State in 1925 completed a mill construction, fire proof, arsenal and warehouse and a magazine on the State-owned grounds near Kilby. This was an economic measure as cost of rental of warehouse space in and about Montgomery was prohibitive.

TRAINING

The training of our National Guard is under the direct supervision of a corps of Regular Officers and Non-commissioned Officers detailed by the Federal Government for duty in the State. Their work has been very satisfactory.

WORLD WAR RECORDS

Records of Alabamians in the Army, Navy and Marine Corps during the World War are practically complete in a single Card Index in the Military Department. These records are valuable reference and are constantly being referred to by our citizens and former soldiers.

COATS OF ARMS

Coats of Arms of all Flag-Bearing Organizations have been designed by the State Military Department and approved by the War Department. These insignia appear on the flags and standards of Organizations and are worn as ornaments on the uniforms of officers and men. They depict the Military History of the Organizations and serve to increase morale and organization pride.

STATE SERVICE MEDAL

A state Service Medal has been designed by our Military Department and is available for distribution to those whose service meets the requirements of Military Laws.

SPANISH AMERICAN WAR BACK FUND PAY

The State still has in its Treasury $7,423.78, back pay, Spanish American War Veterans. During the past four years only $31.29 has been paid out of this fund. I recommend that this fund be invested in good securities by Executive Order and the interest be used in caring for Spanish American War Veterans.

WORLD WAR TROPHIES

Without appropriations for this purpose our Military Department put on a campaign among our various Counties for the purpose of accumulating sufficient money to pay transportation charges on the Federal Government Allotment of Trophies, captures by the American Forces in the World War, from the Arsenal in New Jersey to Montgomery. $2624.47 was collected and the trophies have been received and distributed throughout the State. The Military Department should be commended for their success in accomplishing this without Public Appropriations.

LEGISLATION

(a) The present laws are the results of Acts of several Legislatures since 1907, and it is believed advisable to rewrite these Acts so as to co-ordinate and clarify the various sections by consolidations and revisions, but in no sense changing the intent of various Acts and Sections in any essential features.

(b) It is recommended that appropriations for the organization and maintenance of the National Guard be increased from $83,750.00 to $90,600.00 per annum as recommended by the Military Department to the State Budget Commission. This increase will enable the State to organize and maintain additional organizations during the coming four years, which will be accomplished in regular increments in accordance with the plans of the War Department, and as Federal Appropriations are made available for maintenance.

(c) It is recommended that an Armory Building Measure be enacted, if a practical way can be found for raising money for the necessary appropriations. The outstanding need of our National Guard Organizations is a proper place in their home stations to assemble for training and take care of the expensive equipment issued these Units by the Federal Government for which the State is responsible.

(d) As mentioned before, our Military Department has only one card file of Service Records of practically 90,000 soldiers, sailors and marines of the World's War. It is recommended that the State make appropriations for cross-filing these records and serious consideration should be given

the matter of putting these records in book form by Counties so as to make them readily available for private and public reference.

CONCLUSIONS

Our Military Department, has by persistent effort during the past four years obtained by exchanges, conversions, releases, and new allotments of Units placed the State in a most advantageous position for completing Major Organizations such as Battalions and Regiments and it is in my opinion highly important that these plans be carried out, which will result in a higher state of morale, increased interest on the part of the personnel and the citizenry in those sections of the State to which these Units are allotted, and further increase in efficiency.

The Military Organizations of our State in all Branches of the Service have been brought to a high state of efficiency and have been repeatedly commended by inspecting officers of the Regular Army and now ranks with the best National Guard Organizations of the Country, both in equipment and personnel.

LAW ENFORCEMENT

At no time in the history of the State have the laws been more rigidly enforced than during the past four years. The Law Enforcement Department was created at a special session of the Legislature in 1919 and an appropriation was made at the special session in 1920 of $50,000.00 annually for the department. In 1923 the Legislature appropriated $50,000.00 to be used at my discretion, making a total of $100,000.00 per annum. This department is created not only for the enforcement of the prohibition law, but for the enforcement of all laws from murder to gaming. Accordingly, I appointed Walter K. McAdory as Chief Law Enforcement Officer and instructed him to aid in the enforcement of all laws. He and his force have been used constantly in upholding the laws and seeing that the mandates of the Courts have been complied with. With reference to this department, I desire to make the following recommendations:

1. The statute relative to injunctions and liquor nuisances should be amended to meet the decisions of the higher courts.

2. The statute relative to the seizure, condemnation and sale of automobiles transporting liquor should be amended to meet the decisions of the higher Courts.

3. The statute relative to second offenses for violation of the prohibition law should be amended so as to authorize the Magistrate issuing the warrant of arrest, or the Solicitor in drawing the indictment, to allege in the warrant or indictment that is the second offense, to meet the decisions of the higher Courts.

4. The statute relative to transporting liquor should be amended so as to make it a felony to transport five gallons or more of liquor.

5. I recommend that some provision be made by the Legislature to provide funds for the enforcement of the traffic laws on the highways of the State, viz: reckless driving, persons driving or riding on the highways of the State while intoxicated, and the overloading of vehicles, etc.

6. I recommend that the Legislature pass a law that a certain percent of the fines assessed and collected by the several courts of the State against all persons arrested by the State Law Enforcement Department be paid into the State Treasury of Alabama, said fund to be used exclusively for the enforcement of all laws, by and under the direction and discretion of the Governor of Alabama. If the Legislature will pass such a law, it will not be necessary, in my judgment, to make an additional appropriation from the general funds of the State Treasury for the Department.

7. The law at present provides that all fines assessed and collected by the several Courts of the State be paid into the County Treasury and the State does not receive any benefit therefrom. This, is my opinion, is not right or just.

8. In my judgment, there should be added to this Department at least twenty additional officers, this addition to take care of ten officers added to the regular force and ten motorcycle scouts on the highways.

I have taken from the report of the Chief Law Enforcement Officer the following data, to show how well and how faithfully the laws have been enforced:

COMPARATIVE STATEMENTS

ARRESTS

	Former Administration (3 years)	Present Administration (4 years)
Violating prohibition law	1,903	6,192
Operating stills	587	1,809
Possessing still	292	359
Miscellaneous	2,167	3,766
	4,949	12,126

DISPOSITION OF CASES

Convictions	2,043	8,009
Nol prossed	313	531
Acquitted	301	443
Abated by death	6	18
Abated by insanity	2	1
Cases pending	2,229	3,129

PROPERTY SEIZED AND DESTROYED

Stills	1,394	7,546
Beer, gallons	704,349	4,789,322
Whiskey, gallons	10,310	54,754
Wine, gallons		4,875
Home brew, bottles	5,135	24,193
Alcohol, cases		15

PROPERTY CONFISCATED

Automobiles	44	524
Trucks	7	11
Launches	1	2
Buggies	2	19
Boats	1	1
Mules	6	41
Wagons	5	25
Horses	3	18

CASH FINES ASSESSED

(Former Administration)	(Present Administration)
$142,853.00	$646,318.83

EXPENSES

128,662.00	376,425.89

	EXCESS ABOVE EXPENSES
14,191.00	269,892.94

	SENTENCES
No record	986, ranging from 30 days hard labor to life imprisonment.

DEPARTMENT OF ARCHIVES AND HISTORY

The Alabama State Department of Archives and History has conducted the business delegated to it by the law with the utmost fidelity and zeal. I have watched this Department with peculiar interest from the time of its creation by the Legislature of 1901, of which body I was a member, until now, and no legislative act in which I participated has given me more satisfaction. Beginning with a small collection of State archives which had accumulated in the dusty pigeon holes of the several executive departments of the State for three-quarters of a century, the collections have grown until they fill several offices in organized condition and a whole outside building in an unorganized state.

The historical portrait gallery now contains likenesses of all the outstanding characters who have builded this Commonwealth. The museum objects of historical value, both aboriginal and otherwise, go into the thousands. The historical reference library has no equal in the South. The natural history collection, which only awaits a proper museum space for display is representative of the bird and mammal, mineral and soil resources of the State. The Legislative Reference Library, which unhappily is not accessible, owing to the lack of space for classification and arrangement, is rich in materials that should be made available for the lawmakers of Alabama. The military records are invaluable to the Confederate Pension Commission in establishing services of 122,000 Confederate Soldiers from Alabama and for those historical research workers who desire authentic data. In addition to the Confederate military records in the collection, records of the soldiers of the Mexican War, the Indian Wars, Spanish-American War and World War, are available.

During my administration suitable file cases, not only for military records, but for the official archives of all the State Departments, have been furnished to the Department of Archives and History, and additional clerical assistance provided, in order that the materials which are under constant requisition may be made easily accessible for research. Considerable funds have been allowed out of the Printing and Binding Fund for binding the current Alabama newspapers which become very valuable with the passing of time as the only available record of the current affairs and growth and development of our people and our State. The newspaper collections of the Department now go into the thousands of bound volumes, not only of Alabama papers from the beginning of Statehood, but the outstanding newspapers of other Southern States and of the Nation. A great many of these later volumes were given to the State by the Library of Congress some years ago and the press of Alabama has been most generous in presenting to the Department complimentary copies of their publications for permanent preservation in the State's archives.

In addition to the foregoing activities of the Department a traveling library system has been conducted, through which young people and mature students in the most remote districts of the State are enabled to secure with the cost of transportation, loan packages of reading matter and reference books. During the past four years thousands of these books have been circulated by the traveling library division of the Department. A comparison

of the work of this one division of the Department reveals the astonishing fact that more is being accomplished by the Department with its manifold duties than in some of our neighbor States which have a separate Library Commission with an administrative force and field library organizers.

The Department, acting under legislative authority, has continued a policy of marking historical sites, acquiring by gift or otherwise, desirable historical spots, promoting historical activities in the way of local historical societies, and local and county libraries.

One of the most useful activities of the Department is its service as a bureau of information. Letters of inquiry flow to the Director's desk, not only from seekers for information in Alabama, but from every other State and many foreign countries. With the assistance of a well trained research librarian and other members of the staff, no letter of inquiry ever fails to receive a courteous, prompt and satisfactory response. I cannot too highly commend to your consideration the aspirations of this Department for your continued support and I would most respectfully urge, if it is within the possibility of the State's finances, that you make an adequate appropriation for the construction of a separate fire proof building for the preservation of the rare collections in the custody of this Department which shall be a memorial to Alabama and Alabamians in the World War. Every State in the Union *except Alabama* has given an adequate expression to its appreciation of the heroic efforts of its people and of gratitude to those of our soldiers who made the supreme sacrifice in that titanic struggle. Our sister State of Tennessee has erected for its Department of Archives and History a magnificent two million dollar World War Memorial Building. The city of Birmingham is to immediately erect a Jefferson County World War Memorial in the form of a quarter-million dollar stadium. The whole people of this proud State can well afford to unite in bearing the cost of one noble structure that shall house all our historical archives and objects of historical value, and I so recommend to your honorable body.

STATE DEPARTMENT OF AGRICULTURE AND INDUSTRIES

No branch of the state government has made more constructive advance during my term of office than has the Department of Agriculture and Industries, as created by an act of the Legislature of 1923, known as the Agricultural Code of Alabama. Under the operation of this reorganized department, operating as it does with the advice and assistance to the commissioner of the State Board of Agriculture, many of the fundamental needs of agriculture and related industries have been served.

The Agricultural Code provides the most complete general system of legislation pertaining to agriculture and industries and related subjects which any state has heretofore enacted. It has been favorably commented upon by experts, not only in Alabama but throughout a number of the other states, and has been held out as an example of a convenient, comprehensive and well co-ordinated group of laws pertaining to the subject of agriculture, which other states would do well to follow.

In the organization and functioning of the Department of Agriculture and Industries under this Code, the specialized and technical nature of the work has been recognized in all phases. In carrying out the state's policies, as anticipated in this system of laws, it was desirable to secure the services of outstanding farmers of the state with broad visions of the needs and the work to be performed, as members of the State Board of Agriculture, to advise and assist the commissioner of agriculture in administering the important duties of the department. In line with this policy, I have appointed Messrs. Glenn Foster, W. F. Garth, S. M. Dunwoody, Clifton Kirkpatrick and R. J. Goode, Jr., as members of this board, consisting also of the com-

missioner of agriculture as ex-officio chairman, and the director of the Alabama Experiment Station as an ex-officio member.

Certain funds, which were necessary for the administrative and technical field work of the department and board, have been provided from the products and industries benefited and supervised through these laws. The inspection fees collected for the purposes of these services have exceeded the expenditures of the department during each year of the administration. This development and progress in agriculture and related subjects has been brought about without the expenditure of funds from the property taxes of the state treasury, and instead a surplus from the fees collected has gone into the state treasury. Thus, an opportunity for progress in the various agricultural and industrial lines affected has been made possible without creating an extra burden upon the state treasury or taking away funds needed for the progress of the state in other lines of endeavor.

Due to the broad field covered by the department and board in their work, I shall mention only a few of the services rendered:

The inspections of foods, drugs, feeds and fertilizers have increased over previous years and furnished improved and further services to the producers and users of these products in maintaining high standards of purity and composition values. Under the standards provided by the Agricultural Code and through the maintenance of these standards by the inspection services, the farmers of Alabama are receiving a commercial fertilizer with a higher percentage of plant food value than those of any other state in the Union. This inspection service has grown from year to year in such manner as to greatly decrease the adulterations of fertilizers and commercial feeds. Far reaching results have been obtained for the first time from the inspection of many foods and drugs. This same protection has been extended for the first time in the history of the agriculture of the state to farmers against the introduction of foreign and obnoxious weed and grass seed coming into the state with commercial feeds and farm seeds. It is also of interest that we note a stimulation to the dairy industry and the protection afforded producers in the sale of dairy products on a butterfat basis, and the guarantee to the public against adulterations and the lowering of food value through the department's inspection of dairy products.

I am pleased to note that the plants of the nurseries of the state, which are to produce the fruits and ornamental trees of tomorrow, are being rapidly brought to higher standards of health and productiveness, through the services of the technically trained men of the department. This service is holding in check the spread of insect pests and plant diseases, and is reducing their devastating effects in areas covered; as for example, the dreaded sweet potato weevil of the Gulf Coast region, which threatened the potato production of the entire state.

Due to the elimination of foul brood and other bee diseases and other assistance rendered by the department to beekeepers in improving the methods of production, the package industry of the state has risen to first position among the states and is bringing into Alabama thousands of dollars from the other states and Canada.

One of the greatest needs in profitable marketing of farm products is standardization and official certification as to grades and condition of carlot shipments at the points of origin and terminal markets. Much progress has been made in setting up standards for our agricultural products and in providing official certification, such as is being done for Johnson grass and alfalfa hays. In addition to standardization and certification as to grade of farm products, one of the prerequisites to orderly marketing and financing of agricultural products, is a properly supervised warehouse system. Never before has the state set up a supervised system as is now in

operation, and which has received wide recognition and approval of the banking systems of the country. This warehouse system has furnished aid in financing the orderly marketing of crops at the lowest rate of interest ever received by the farmers of the state.

One of the new services of the department and of the state is that of a weights and measures service. Through the operation of this service equal justice to buyer and seller has been established under able supervision of weighing and measuring devices. This service, which was never before provided, is doing pioneer work of the South along this line and has received high commendation by the U. S. Bureau of Standards and by weights and measures officials of states engaged for years in this work. Among the services being rendered I will mention that of protecting the farmer against losses in the sale of his products; such as cotton, and automobilists against losses from defective and improperly operated gasoline pumps. Reports of the work show an estimated loss to the farmers of more than $400,000.00 annually, due to the incorrect cotton scales, and an estimated loss of $340,000.00 annually to automobile operators, on account of incorrect gasoline pumps, at the beginning of the work. These instances furnish concrete examples of the savings to the public through the enforcement by the department along this line. In addition to the proper supervision of devices, further savings have been accomplished through the examination of the weight or measure of commodities sold in all lines of trade.

After experiencing the enforcement of these new laws by this newly organized department during my administration, I find that certain further legislation is desirable. The Department of Agriculture and Industries has so many different activities based upon the provisions of one Act that litigation of a technical nature is continuously invited and threatens to retard and handicap the work of the department. The inclusion of a part of the agricultural laws in the Code of 1923 and the omission of others, causes many questions to arise. I am therefore of the opinion that the public statutes of Alabama which pertain to agriculture and industries and related subjects should be codified. Since the constitutional provision, under which Article 40 of the Agricultural Code relating to drainage districts was rendered null and void by the Supreme Court of Alabama, has been amended so as to remove all constitutional obstacles to such an Act, I recommend the restoration of this important Act and adoption of remedial legislation to restore the legal status of bonds sold and purchased in good faith under provisions of the drainage Act.

I recommend for consideration the further use of the inspection fees of the department for the purposes for which they are collected in extending the services and their benefits to those who pay the fees and make it possible for the state to provide conditions most favorable for their legitimate and profitable operations.

THE PORT OF MOBILE

Through the amendment of Section 93 of the Constitution of Alabama which became effective November 22nd, 1922, the people of Alabama avowed, in the most solemn form known to our Government, their deliberate purpose to promote, develop, construct, maintain and operate a seaport within the State, prescribing that such work or development should always be and remain under the management and control of the State, acting through a governing agency of the State's creation.

In my inaugural message to your predecessor, the Legislature of 1923, it was said:

"The people of Alabama by almost unanimous consent at the polls decided that the State of Alabama should lend its credit to the building of a

Port for Alabama at Mobile. Our people have great hope in this development. To my mind, this is the most important legislation with which you will have to deal. The people have been promised returns on their investment. You will be charged with passing the enabling Act carrying into effect the Constitutional Amendment . . . In my judgment, a great day will dawn for Alabama when this port is completed. Every section will be benefited, and the product of field and mine, of mill and factory, will cause our industrial life to throb with new energy. New markets will be opened, transportation will be cheapened, and all our people will feel its benefits. We should not delay the matter unduly, but every care should be taken to the end that the people will be assured that the matter is being carefully and properly handled . . . . This problem is ours; let us meet it thoughtfully, prudently, with the best advice obtainable."

The Enabling Act, designed to carry into effect the Port Amendment to the Constitution, became a law on September 18th, 1923, by Executive approval.

The Act directed the appointment, by the Governor, of three State Docks Commissioners, no two of whom should be residents of the same Congressional District. Under that authority, I appointed these three well-known business men to constitute the Commission: Mr. George Gordon Crawford (Chairman) of Jefferson County: Former Governor Chas. Henderson of Pike; and the Honorable Frank G. Blair of Tuscaloosa County. Though sincerely interested in the patriotic service to which he was called, Mr. Crawford found it necessary to accept for a temporary service only—until a satisfactory successor to him could be obtained.

General William L. Sibert, a pre-eminent Alabamian, was induced to succeed Mr. Crawford.

The Organization of the Commission with General Sibert as Chairman was effected November 26th, 1923.

The Service and work of the State Docks Commission has been, in all respects, highly satisfactory; and the progress made toward the full development of the Port of Mobile has been as rapid as the magnitude of the approved plan would permit. This plan was so drawn as to provide for the ultimate expenditure of the entire ten millions authorized by constitutional amendment, and the lands procured are sufficient to meet the ocean terminal needs of Alabama for years to come. The people of Alabama, in every way that approval may be manifested, have shown their fullest confidence and unqualified satisfaction with the service the State Docks Commission has rendered and is continuing to render to the State and its people in the development, construction and management of the Port of Mobile.

In accordance with the requirement of Code (1923) Section 2559, the State Docks Commission, through General Sibert as Chairman, has prepared a full report to the Legislature of its acts, services and operations.

I herewith transmit that report: commending it to your careful consideration and respectfully suggesting that, because of its illuminating character and great importance, it be at once printed.

Whenever a government contemplates or enters upon a development or enterprise that is related to or affects commerce or commercial activities, the first consideration, inspired by the wisdom of experience, is the inquiry whether "politics" will be or will become a factor, in any degree, in the creation or operation of that public facility.

Realizing, as I did and as any Governor would have done, that if "politics" had any part, play or recognition whatsoever in the formulation or execution of the State's great design at Mobile, the most disappointing and unhappy consequences would attend: I determined, in the very beginning, that in no way or degree should "politics" have any consideration or

influence whatsoever in the planning or the consumation of the development of the Port of Mobile.

Such was the original policy adopted by me; and it has been, without the slightest variation, adhered to.

The State Docks Commission also has consistently maintained a like policy in its service of formulating and executing the approved plan for the development of the Port of Mobile.

This policy has merited, as it has deserved and received, the unqualified approval of all who feel a patriotic interest in the State's welfare and who entertain a real desire for the success of the State's Port at Mobile.

Conscious of the enduring wisdom of that policy as there applied: aware of the anticipated success that has attended its observance in the work at Mobile, I earnestly recommend that that policy be made permanent through appropriate enactment.

A bill, prepared with the utmost care, will be presented to you, in which the permanence of that policy will be assured through provisions investing the State Docks Commission with the power to fill vacancies in that body, subject to confirmation of their selections by the Senate of Alabama. The plan designed is, in substance, that provided in the Constitution for the selection of members of the Board of Trustees for the University of Alabama.

The approved plan for port development has not been completely executed. Such a large part of the five million dollars already made available has been necessarily expended in moving railroads and purchasing land, that the remainder will not build a port capable of handling all of the typically different kinds of commerce seeking an outlet at Mobile. The five millions remaining of the amount authorized by constitutional amendment should, in my opinion, be made immediately available.

If the policy is continued and the Acts passed as presented to you by the Chairman of the Docks Commission, the Port will soon be a reality. I cannot then too strongly urge the immediate passage of these measures, which will insure the completion of the Port and give the Commission opportunity for its operation.

In conclusion, May I say that the people of Alabama owe a debt of gratitude to General William L. Sibert and his associates for the efficient and economic manner in which they have administered the affairs of Port Development and from no source has a single criticism come, and this Department and its work is an outstanding feature of this Administration. And my hope is that no policy will be adopted by which they will be handicapped in bringing to successful conclusion our dreams of transportation.

COMMISSION OF FORESTRY

The task of establishing a new but urgently needed department without levying additional taxes was accomplished through the Forestry Act of 1923. For many years the citizenry of the commonwealth had been aware of the paramount necessity of public action toward developing and maintaining the forest resources of the state as an appropriate and profitable use of our extensive areas of nonagricultural land and as a measure toward the continuation of the forest and wood using industries which employ many thousands of wage earners. The Forestry Act recognized the highly specialized and technical character of this problem, and has been widely commented upon both in the United States and abroad as probably the best initial forestry legislation adopted by any State. Among its more important features are provisions for practical cooperation with land-owners, deferred taxes on timber grown under forestry management so that the principle of one tax for one yield may be applied to timber as to other renewable re-

sources, and cooperation with the Federal Government in the prevention of forest fires.

In carrying out the State's forestry policy it was evidently most desirable to select a Commission of practical men with knowledge of the field to be covered and trained in business and executive affairs. As members of the Commission of Forestry provided for in the Act, I appointed Messrs. E. F. Allison, John L. Kaul, J. W. LeMaistre, J. Lee Long and W. M. Spencer. No special appropriation was required for compensation for these men who have willingly devoted their services in this important work without pay. The Commission elected as its Secretary and State Forester Colonel Page S. Bunker, a forester of broad and successful experience in private, municipal, state and federal practice and familiar with the organization and operation of public departments.

The technical, administrative and field work of the department, however, necessitated certain funds. These are provided for in the law by devoting the license fees from the industries that are most directly benefited to the work of renewing the resources upon which such industries are based. Within the state the forest industries have contributed the entire cost, notwithstanding that numerous direct and incidental benefits have accrued to the commonwealth as a whole. The restoring and maintaining of the forest resources of the state meanwhile afford these industries an opportunity for development rather than the continued prospect of rapid decline. This development results in increased or retained property values such as manufacturing plants, timber stands, etc., the direct taxes on which, paid into the general fund, will more than offset the license fees devoted to the State forestry work.

The Commission entered into an agreement with the Federal Government whereby the latter supplies substantially half the funds expended in fire prevention. The allotment received for this purpose is equal to the highest awarded to any state. From a total of 36 per cent of our forest land burned over, which was approximately the current average prior to the organization of the Commission's work, the proportion was reduced to 34 per cent in 1924, 16 per cent in 1925 and 7 per cent in 1926.

The law authorizes the acceptance by the Commission of gifts of land as State Forests. Thus far three such tracts have been donated. These areas are used not only for demonstrational and experimental purposes but also as outdoor recreational centers and have been visited by thousands of citizens. In addition to fulfilling their fundamental uses, therefore, State Forests also serve the purpose of woodland parks. While the utilization of park areas is recreational rather than economic, the protection, engineering development and administration of forest areas and wild land parks are substantially identical. In fact, as has occurred in various other states, the recreational use of State Forests apparently solves the question of state parks, especially insofar as rough land areas are concerned; meanwhile from the administration and fiscal standpoints but one departmental overhead is required.

I have been gratified to note the fiscal policy of the Commission of Forestry in limiting expenditures to purposes and objects of definite and immediate necessity. In fact, for the fiscal year ending September 30, 1924, over half the appropriation was returned to the Treasury, notwithstanding that the Commission was strongly urged from various quarters to spend the entire appropriation. The same was true for the year ending September 30, 1925. The department is now a going concern and the entire amount available will necessarily be expended each year, notwithstanding rigid economy in the use of funds.

With the added information now available through the operation of the Forestry Act, various suggestions have been made as to further legisla-

tion. Among these are that the Commission be given jurisdiction over lands forfeited to the State through nonpayment of taxes that are of special value for State Forest purposes, that the balances in the State Forestry Fund at the close of the fiscal year be continued to the credit of the same fund during the ensuing fiscal year as was intended in the original Act, that the Commission be authorized to use unexpended and unobligated portions of the State Forestry Fund for the acquisition of State Forests, that the laws on timber trespass be made more specific and practical, and that the enforcement of the spark arrestor law be vested in the Commission of Forestry.

ALABAMA PARK COMMISSION

With a realization of the importance of the health and happiness of our people, our National Government many years ago established the policy of reserving certain areas of the public domain for conservation and recreational purposes. Locations of great scenic beauty have become National Parks and other areas have been made forest and conservation reserves. Following the precedent set by our National Government the majority of the States of the Union have entered upon a policy of fostering a system of State parks. In 1901 when the Legislature created the Alabama State Department of Archives and History, it directed that that Department should, where possible, take over all abandoned town sites, old Indian mounds and town sites, old fort sites and any other historic or interesting points in the State and make of them public reservations or parks. The intent of that Act has been carried out throughout the twenty-six years of the Department's history to as wide an extent as the means at hand and opportunities afforded. However, the development of the public park idea as now operating throughout the country, anticipates a wider public use of the recreational areas than dreamed of more than a quarter of a century ago. Acting upon information laid before me by the Director of the Department of Archives and History and by representatives of the National Conference on State Parks, on April 15, 1925, by Executive order, I created the Alabama Park Commission. The personnel of this Commission was selected from men interested in the great outdoor movement and natural conservation and a considerable body of data has been collected for future consideration.

Included in this material is information to the effect that the Governor holds ownership of a tract of above 1,600 acres in Cherokee and DeKalb Counties, known as May's Gulf, which is rugged in scenery, accessible by highways, and located near a well developed summer resort section of the State. Congressman M. C. Allgood has secured the passage of a Congressional Act withdrawing this public land from entry and has had a nominal price fixed upon the acreage with the expectation that the State of Alabama will purchase the tract for one of its proposed State Parks. A bill to that effect will be presented early in the sessions of this body and I earnestly hope it will receive your favorable consideration. Other tracts of land affording unique and beautiful scenic attractions, suitable for park purposes have been tendered to the Commission at very low rates or in some cases as gifts to the State. I, therefore, feel that the activities of the Commission during the brief period of its existence deserve commendation and should receive the co-operation of all of our people.

In order that every type of outdoor life shall be available for public use for recreational and conservation purposes, the Commission is inquiring into the possibility of securing on the Gulf, the now abandoned government fort, Fort Morgan, in Baldwin County, with sufficient acreage for a seacoast recreational center. Congressman Lister Hill, member of the Military

Affairs Committee of Congress, is co-operating with the Commission looking to the best possible proposals from the Government to the State in regard to the acquisition of that location. The examples set out here are but a few of the locations that may, with proper legislative support come into possession of the State through the efforts of the State Park Commission and the Department of Archives and History.

I strongly urge upon this Legislature the importance of enacting a law which will make the Alabama Park Commission an official body, giving it such duties and responsibilities and powers as will best carry out the intents and purposes for which it is created. The personnel of the Commission as now created serves without compensation but in order that the future personnel shall feel free to make necessary trips of investigation as to suitable sites, and to hold such meetings for conference as are necessary for the work, I suggest that an appropriation shall be made to cover the expense entailed in the performance of these duties. In order that a complete co-operation may exist between the historical parks reservations now delegated to the administration of the Department of Archives and History and the Alabama Park Commission, I advise that the plan of naming the Director of the Department of Archives and History as Ex-Officio Secretary of the State Park Commission, be enacted into the law.

DEPARTMENT OF GAME AND FISHERIES

Splendid progress has been made in the protection, conservation, and rehabilitation of the useful forms of the wild life of field, forest, and stream, during the past quadrennium. The revenues collected by this Department from the sale of hunters, trappers, and non-resident fishing licenses, fines from game and fish violations, and revenues collected in connection with the sea food industry has shown a decided increase in the past four years over the preceding quadrennium.

Below is given the annual receipts from the above mentioned sources, and the disbursements for the several purposes for which these revenues were collected:

	Receipts	Disbursements	Balance
1923			
Game and Fish Fund	$41,557.19	$18,746.85	$22,810.34
Oyster Fund	7,699.42	4,483.08	3,216.34
Fish Hatchery Fund			
Total	$59,256.61	$23,229.93	$26,026.68
1924			
Game and Fish Fund	$56,456.40	$53,264.83	$ 3,191.57
Oyster Fund	6,658.51	4,330.93	2,327.58
Fish Hatchery Fund	1,815.60		
Total	$64,930.51	$57,594.76	$ 5,519.15
1925			
Game and Fish Fund	$72,334.28	$54,957.97	$17,376.31
Oyster Fund	11,793.84	9,488.94	2,304.90
Fish Hatchery Fund	3,583.55	5.00	3,557.55
Total	$87,711.67	64,451.91	$23,238.76

1926.

Game and Fish Fund	$87,741.34	$86,005.49	$ 1,735.85
Oyster Fund	11,671.68	6,185.99	5,485.69
Fish Hatchery Fund	3,071.85	2,838.49	233.36
Total	$102,484.87	$95,029.97	$ 7,454.90

It would not be amiss also, to call your attention to the fact that the enforcement of the conservation statutes as relates to wild life resources, although our Department has the smallest force of any State in the Union, has led all of the States in the number of cases made and convictions obtained in proportion to the number of wardens employed.

According to the quadrennial report recently submitted by the Commissioner of Game and Fisheries, there were convicted during the past quadrennium a total of 3,151 violators of the game protection laws. Of these 91% were pleas of guilty, and 97% of the remaining 9% who demanded trial in the courts of the State were convicted by the courts. These figures would indicate that the sentiment of the public is almost solidly behind the Department in its enforcement program.

The Legislature of 1923 upon the recommendation of the Commissioner of Game and Fisheries, created the Fish Hatchery Fund, the source of which revenues come from fishing violations and the small revenues accruing from the sale of non resident licenses. From these funds, Alabama's first fish hatchery was constructed in 1925, and put into operation. The successful operation of this our State's first hatchery is evidenced by the fact that every citizen of the State who made application for fish to plant in protected waters of his community received a consignment of fish for that purpose.

Alabama should have more fish hatcheries—at least one in each Congressional District of the State, but this cannot be done unless new sources of revenue for this purpose are found. My suggestion is that it would be well for this Legislature to impose a nominal fishing license fee on all males above the age of sixteen years with similar modifications and restrictions as are now placed on hunting licenses. Hunters, as such, through the purchase of hunting licenses contribute every penny of money to preserve, conserve and rehabilitate all wild life in the State, including fish, and in all fairness, fishermen as such should be expected to contribute their share of the revenues to perpetuate their sport and to afford them economic and profitable sport and a wholesome food supply.

There are thousands of acres of wild land in the State suitable for the habitat of useful forms of wild life, and the Department should be equipped to restock these areas in the future. Indeed, this work has already been begun by the Commissioner of Game and Fisheries, with my approval, and during the past year $20,000 of hunter's license fees were appropriated to plant deer and quail in suitable places in the State, the deer and quail being brought into the State from outside sources. This program should be continued and enlarged.

The fur industry of the State has developed into a great industry and last year more than two million dollars worth of furs were taken in this State. I call your attention to the fact, however, that due to inadequate laws relating to fur bearing animals, it has been impossible for the Departmen of Game and Fisheries to collect the revenues that should be collected from this source. I hope that this Legislature will find ample means for the State to secure its just returns from the fur industry of the State.

SEA FOOD INDUSTRY

I want to call your especial attention to the necessity for adequate development of the sea food industry in Alabama's coastal waters. The 1923 Legislature provided a source of revenue for the continuous development of the sea food industry and these funds are held as they properly should be and carried over from year to year for the development of the industry. Alabama has long neglected a potential industry which should yield an income of not less than $5,000,000 annually to the citizens of the State. It is my hope that you will give serious and favorable consideration to the recommendations given below, which have been given by the Commissioner of Game and Fisheries. These recommendations cover all phases of conservation work and have my unqualified endorsement.

RECOMMENDATIONS

1. The Department of Game and Fisheries should have full use of all revenues collected by it from the sale of licenses and the imposition of fines in game violations, and no part of it should revert or be converted to the general fund of the State.

The Department already has full use of all revenues derived from the sale of non resident fishing licenses and fines from fishing violations and all revenues derived from the sea food industry.

2. Sources for additional revenues for the purpose of adequately enlarging the Department's fish cultural program should be found. During the next quadrennium at least five additional fish cultural stations should be constructed to take care of the growing demands for fish in the protected waters of the State for restocking purposes.

3. The Commissioner of Game and Fisheries should be authorized to lease or purchase, as funds permit, adequate areas in the several counties of the State to be set aside especially as sanctuaries for useful species of game birds and animals, and raise such suitable species under natural conditions, trapping the surplus and planting it in depleted areas where they will thrive and benefit the public.

4. A closed season on edible game fish during the spawning season was enacted by the Legislature and approved by the Governor on September 29, 1923. Later, that Section of the Act establishing a closed season was declared null and void by the Attorney General due to the fact that the caption of the bill was not broad enough to cover the section of the bill in question.

It is of the greatest importance that the principal species of our edible game fish be given an opportunity to propagate and reproduce each year, and to this end I am renewing the recommendation that the need for a closed season of not less than two months is indispensable.

5. Fishing devices other than hook and line, fly troll or spinner now legalized should be prohibited except in navigable bodies of water, not to include impounded waters on said navigable streams, and regulated under license for commercial purposes.

6. The Commissioner should be authorized by law under exceptional circumstances when from natural causes, climatic conditions or conditions arising through the carelessness, indifference or thoughtlessness of man to close such area or areas to hunting or fishing for such period of time as will give the desired species an opportunity to propagate and rehabilitate itself. For example there are a number of counties in the State where deer and turkeys are making an effort to come back. If protected from the gunner for a reasonable length of time these species of splendid game would appear in abundance. It would not be fair, however, to close the season for more than the regular statutory provision in those counties

where the species sought exceptional protection, do appear in abundance, and where killing off the surplus seems to be both desirable and necessary.

7. Alabama has an opportunity in her coastal waters to develop an industry many times its present proportions. This state is now the only remaining State which clings exclusively to the antiquated method of removing oysters from the reefs and bottoms. One good "hand tonger" with a pair of "rakes" is able to remove about fifteen (15) barrels of oysters daily, while the Department has demonstrated during the past two years that with five men operating two dredges with two (2) barrels capacity each, 380 barrels of oysters may be removed from the bottoms in three hours and twenty minutes.

Besides it is impossible for the hand tongers to handle their light crafts and fish oysters with hand tongs from the deep open waters of lower Mobile Bay. The result is that hundreds of thousands of barrels of the worlds best oysters which all these years should have been utilized for food have been left to develop and bury themselves by their own weight and die. If the State expects to do what it should do toward a proper development of its oyster industry it will have to permit dredging in the open deep waters.

The Department of Game and Fisheries should be properly equipped with boats and barges for properly supervising marine fisheries of all kind and the planting of adequate quantities of seed oysters annually. In order for this to be done there should be a minimum of not less than $25,000 appropriation for this work—such appropriation to be returned over a period of years from the increase of revenues from the sea food industries.

8. Alabama should not only have a closed season, a daily bag limit, and a size limit on its principal edible fresh water fishes, but should have a closed season and a size limit on its principal edible marine fishes.

9. Laws relating to fur-bearing animals are wholly inadequate to the needs of the State and the animals themselves. Our present laws provide for a trapping license of $15 for the first trap and $2.50 for each additional trap. With an inadequate warden force and because the very nature of the industry it is a matter of physical impossibility for the Department to ascertain who is legally and who is illegally trapping the State's fur-bearers. It is safe to say that with the number of trappers' licenses issued annually, not more than two per cent of the trapped animals are taken legally—while on the other hand thousands of skins and pelts are taken with dog and gun and a very profitable industry is maintained on a dollar county hunting license.

The result is that Alabama's wild fur-bearing quadrupeds are fast becoming depleted without the State getting scarcely any benefit. I recommend that the trapping of fur-bearing animals be restricted, and a commercial license imposed on all who would take fur-bearers and use their skins and pelts for commercial purposes.

STATE PRISON INSPECTION DEPARTMENT

This department, under the direction of Dr. Glenn Andrews, has been managed in an efficient and constructive way. Your attention is invited to the bi-ennial report, with the hope that you will give it careful consideration for it contains a vast deal of information, which will probably be of assistance to you regarding certain institutions of the state.

There has unquestionably been a marked betterment in the general conduct of the jails, and the unfortunates who have been confined in them, have generally speaking been humanely cared for.

While opposition has been voiced by some of the sheriffs to the present law governing the feeding of prisoners, unquestionably it has more than proved its value by the results obtained, and with a slight amendment, to meet the Appelate Court's decision, should be left intact.

Under this law the reports indicate that the prisoners have fared well as to their food, the sheriffs have been compensated amply for their services, and there has been a large decrease in the total cost to the state.

In substantiation of the benefit derived from this statute your attention is specially invited to the communication of the State Prison Inspector from Dr. F. F. Blair, Physician Inspector of convicts, in which the following occurs:

"I have been closely connected with the Alabama State Penitentiaries for the past twelve years I was Resident Physician at Flat Top for four years, Resident Physician at Wegra for four years and for the past four years have been Physician Inspector for the Convict Department.

I have had an opportunity to study the convict and convict system thoroughly. A few years ago convicts from county jails would frequently reach the State Institutions emaciated and anaemic, and when a man like this was received, he was either sent to the hospital or assigned to light work until he was sufficiently restored to strength to be put at hard labor. I am glad to state that such condition does not now exist, when we receive men now from the jails, they are in splendid shape and ready for work. During my tenure of office for the past four years as Physician Inspector of convicts, I have not had occasion to relieve a man from work when received at the penitentiary from the jail, on account of malnutrition."

This is in striking contrast to the statements made in the reports rendered by Drs. Bragg, Bush and Oates, who formerly were at the head of the State Prison Inspection Department, and who so severely arraigned the feeding of prisoners under the old fee system.

From the State Inspector's report, it will be noted that new and better jails are needed in a number of counties. Due to the excessive cost of material which goes into the construction of jails it is difficult to have properly constructed buildings erected in the small and sparsely settled counties.

The suggestion is offered and recommendation made by the State Prison Inspector that two or more adjoining or contiguous counties be authorized to unite in a district jail.

This strikes me as a suggestion well worth consideration and I recommend that you give the matter careful consideration.

It is again suggested that provision be made for releasing, at the time of arrest, misdemeanants, where moral turpitude is not involved, upon their own recognizance to report at a given time to a court of proper jurisdiction. It is argued "that a person at times is arrested for a more or less trivial offense and either conducted, or required to report, to the office of the Sheriff and make bond and is released, and his name appears upon the register as having been committed to jail and a charge made for a day's food.

This works an injustice upon the person by stigmatizing him as having been committed to jail when such was not the fact; it makes it appear that there were a greater number of commitments to the jail than was actually true, and creates an economic loss to the State.

A considerable number of those who are held in jail for a varying period of time awaiting release on bond or otherwise, or being unable to make bond, are kept for trial, are also misdemeanants who are frequently compelled to remain in an unwholesome moral environment.

To relieve this the above suggestion is made.

I recommend that this be given your careful consideration.

It is further suggested that jail sentences be abolished, except for contempt of court, and that the court be authorized in lieu thereof, in all cases not deserving of a sentence to hard labor, to parole the offender into the hands of a probation officer, and the prisoner be required to pay into the

court at stated intervals of time a given sum until the fine and cost in the case has been satisfied.

It is recognized that confinement in county jails, for others than those awaiting trial, is illogical, and under prevailing conditions, where from necessity first offenders, those held for minor offenses and convicted and old offenders against the law are brought into close association, tends to beget crime rather than correct the tendency.

I recommend that you give this measure careful study and consideration.

COUNTY CONVICT SYSTEM

Through coordination with the State Board of Administration the Prison Inspection Department was given supervision over the county convict camps.

An inspector was appointed by the Board to visit these institutions. Regular monthly visitations were made and reports rendered on conditions found, with beneficial results.

Only seven of the counties of the state maintain county camps, the remainder leasing them due to the great cost of operation and unsatisfactory results obtained. I recommend that a careful study be made of the county convict system and a more uniform and systematic plan be worked out for the handling of county convicts.

ALMSHOUSES

The present system of maintaining individual county almshouses, for obvious reasons, is highly unsatisfactory and expensive. While there has been a growing interest on the part of the authorities in charge of these institutions, nevertheless the operation of small institutions with few inmates in scattered localities does not invite either economy or efficiency.

A bill was prepared and introduced into the last legislature, dividing the state into four almshouse districts, and authorizing the several counties comprising each district to unite into one institution. This bill passed the senate unanimously and was on the favorable calendar of the house, but by rush of legislation was crowded out.

The bill will again be presented for your consideration and it meets with my hearty approval and earnest recommendation.

The State Prison Inspector recommends the placing of sheriffs upon salaries and relieving them from the care of the county jails. He argues forcefully for this change, and points out the possible injustice which may arise from the present system to both the sheriff and to the people.

This would require a constitutional amendment, and I am inviting your attention to the matter in order that you may give it proper consideration.

Under a provision of law, authorizing the Governor to send the Prison Inspector into any state, county or municipal institution to make investigations when deemed necessary, use has been made of this department several times during the present administration for this purpose in certain eleemosynary institutions.

Attention is drawn to this in order to point out the advisability of bringing these institutions more directly under the supervision of the State.

This department has functioned most creditably under Dr. Glenn Andrew's, and he has not only performed his duties as prescribed by law, but I have frequently called upon him to aid in mapping out policies for our eleemosynary institutions, such as the Girls Training School. He has responded in all cases, and improvement has been made where his suggestions have been adopted.

I recommend that in some way this department be authorized to keep in close touch with these institutions in an advisory capacity.

ELEEMOSYNARY INSTITUTIONS

The Alabama Insane Hospital at Tuscaloosa is doing a splendid work for our insane. Under the able and efficient management of Dr. W. D. Partlow it has gone forward and by economy he has added to the equipment and buildings. It is now overcrowded, as I am informed, and he is unable to meet the demands upon him. I call your attention to his report and concur in his recommendations.

The Hospital for the colored at Mt. Vernon is under the same management and it is functioning creditably. The State cannot be derelict to its unfortunate wards and I recommend a continuance of a liberal policy to these institutions. To me it has been almost miraculous how Dr. Partlow has operated these institutions upon the appropriation made for each inmate. It occurs to me that it would be well to have a committee appointed to visit these institutions and ascertain their needs and make recommendations accordingly.

INSTITUTION FOR THE FEEBLE-MINDED

Hard by the institution for the insane stands a new building, the Institution for the feeble-minded. Only two units have been finished. Our other institutions are crowded with inmates who should be transferred to this institution. This cannot be done until more buildings are erected and I earnestly urge that the recommendations of the Superintendent be approved and appropriations be made for this worthy cause. More buildings are needed; a larger maintenance fund is required. I recommend further that the necessary funds be appropriated to adequately equip and maintain the institution. We owe a solemn duty to the inmates of this institution. That duty should be courageously discharged and no monetary consideration should stand in the way or check its humanitarian work.

SOLDIER'S HOME.

The Old Soldiers' Home at Mountain Creek should be continued. The work done there is worth while and many old soldiers are being properly cared for.

PENSIONS FOR CONFEDERATE SOLDIERS

Nothing is closer to my heart than the Confederate soldiers and their widows. This administration has been able to be of material assistance to them as shown below:

At the beginning of my administration, January, 1923, there were on the Pension Rolls of the State:

4,083 Confederate Soldiers
1,491 Widows of Confederate Soldiers over 80 years of age.
3,285 Widows of Confederate Soldiers between 70 and 80 years of age.
2,141 Widows of Confederate Soldiers under 70 years of age.

11,000 Soldiers and Widows on Pension Rolls.

On January 1st, 1927, there were on the Pension Rolls:

2,407 Confederate Soldiers.
1,545 Widows over 80 years of age.
2,715 Widows between 70 and 80 years of age.
1,448 Widows under 70 years of age.

8,115 Soldiers and Widows on the Pension Rolls.

The roll of old soldiers has been depleted by death during the four years by 1,676. The roll of widows has been reduced during the same period in the number of 1,209, there being on the rolls January, 1923, 6,917 widows and on January 1st, 1927, 5,708. The total reduction of names on the pension roll during the four year period of Soldiers and Widows was from 11,000 names in January, 1923, to 8,115 names January 1st, 1927, or a general reduction of 2,885 names. In January, 1920, or seven years ago, there were on the pension roll 5,434 Confederate Soldiers and 7,661 Widows of Confederate Soldiers, or a total of 13,095 names. It is apparent from the above statement that within the last seven years the number of soldiers on the roll has been reduced by 3,027 or approximately 55%.

Notwithstanding the fact that there are 2,885 fewer names on the pension roll January, 1927, than there were January, 1923, yet the amount paid out for pensions for the January quarter, 1927, exceeds by approximately $10,000.00 the amount paid out January, 1923.

Under the law enacted September 6, 1923, the pensions to old soldiers were doubled and the pension to each widow on the roll was increased ten dollars per year. Under the provisions of the same law, all limitations as to property ownership, or income were removed and the necessary prerequisites were fixed that any soldier or sailor who had been an actual bona fide resident of Alabama for five years immediately preceding the filing of his application and who could prove his actual service in a regular Confederate organization and his honorable discharge as a soldier, and the widow of any Confederate soldier who married her husband as whose widow she would have drawn a pension, prior to January 1st, 1904, and whose husband's service could be proved and who had been a bona fide resident of Alabama for a period of five years immediately preceding the filing of her application, was entitled to a place on the Pension Rolls of this State. The roll thus established became a roll of regard without consideration as to financial conditions.

Pensions are paid from receipts to the State Treasury from the one mill soldier tax, supplemented by so much of the general fund of the State as is necessary to meet the requirements of the pension law.

For your information there is given below a statement showing by years for the past two quadrenniums beginning October 1, 1918, and ending September 30, 1922, and beginning October 1, 1922, and ending September 30, 1926, total disbursements for pensions, receipts to one mill soldier tax, and balance necessary each year to supplement from the general funds of the State.

	Disbursements for Pensions	Receipts One Mill Tax	Supplied from General Funds of the State
1919	$ 933,727.20	$ 646,678.61	$ 287,048.59
1920	1,192,960.22	678,998.21	513,962.01
1921	1,290,618.82	706,272.39	584,346.43
1922	1,232,393.50	910,419.26	321,974.24
Total for Quadrennium	$4,649,699.74	$2,942,368.47	$1,707,331.27

1923	$1,149,249.00	$ 985,398.43	$ 163,850,57
1924	1,748,108.00	916,780.23	831,327.77
1925	1,584,293.00	944,126.19	640,166.81
1926	1,399,374,00	989,455.95	409,918.05
Total for Quadrennium	$5,881,024.00	$3,835,760.80	$2,045,263.20
Excess over Last Quad.	$1,231,324.26	$ 893,392.33	$ 337,931.93

Receipts to one mill soldier tax for year ending September 30, 1926, and available for use for the present fiscal year amount to $1,029,250.88. Considering the present status of the pension rolls as to number and classification, the general fund of the State must be requisitioned for approximately $200,000.00 to pay the pensions now allowed by law.

The rolls of the old soldiers are fast being reduced and due to increasing age, the reduction will be proportionately greater during the next few years reasonably remaining to them.

The pension allowance to the old soldiers can and should be appreciably increased and the allowance to soldiers' widows can also be increased to a certain extent without adding much of additional burden to the general fund. Especially should the pension allowance to the older widows have your attention. Whatever additional allowance may be considered by you as proper should be made to the small remnant of fast disappearing "thin grey line" and to his worthy old companion who endured and suffered the hardships and trials of the sixties and who with feeble steps is tottering on down to the water's edge of life's last river. Provision should be had that the last days of "the brave and gallant few" and of the war widows should be protected with the comforts due to old age and against penury and want. In granting, however, any additional recognition to the pensioners, care should be taken that none of the present restrictions as to soldiers' service, length of residence in the State or date of marriage should be lowered. The pension laws of this State are more liberal in their provision of allowance and limitations than those of most of the Southern States and to weaken these safeguards to the pension fund would make on the one hand a field too inviting, subject the fund to an improper use and lower the standard of the pension rolls of Alabama which are now considered to contain only the names of those soldiers who actually served as soldiers and the widows of such persons. To allow it to be invaded by lowering in any way its high measurements would serve to destroy the general purpose in making it an expression of regard to those who deserve the State's devoted concern and highest honor. It is recommended that the law be modified so that the date of marriage shall not affect where the widow of a Confederate soldier subsequently marries another Confederate soldier and such soldier dies.

BANKING DEPARTMENT

A. E. Jackson, Superintendent of Banks, has rendered his report to me for the period ending September 30, 1926. Proofs have been submitted to the printer for printing this report in pamphlet form, and these pamphlets will be distributed to you as soon as completed by the printer. The printed report will contain statements of all of the State banks as published on October 15, 1926.

A consolidated statement as of October 15, 1926 shows that the Alabama State banks are in a very liquid condition. Deposits were approximately $132,000,000.00. All of the banks had cash and clearing house items of $31,357,000.00 with secondary reserves in stocks and bonds of $12,317,-

000.00, which makes a total of assets immediately available of $43,674,-000.00.

There was a surplus and undivided profits of $12,315,744.69, against a capital stock of $13,617,900.00. The entire summary of condition of Alabama State banks as of October 15th is as follows:

RESOURCES:		LIABILITIES:	
Loans & Discounts	$113,721,415.89	Capital Stock	$ 13,617,900.00
Overdrafts	182,277.05	Surplus	7,605,812.23
United States Bonds	1,122,171.20	Undivided Profits and Reserves	4,709,932.46
Other Bonds, Stocks and Warrants	11,195,151.46	Demand Deposits	84,091,638.13
Banking House, Furniture & Fixtures	4,611,556.94	Time Deposits	47,861,814.07
Other Real Estate	2,622,256.50	Bills Payable	5,662,994.44
Cash in Vaults	5,432,788.81	Rediscounts	1,470,972.12
Due from Banks	22,751,993.69	Acceptances	809,722.12
Exchanges for Clearing House and Cash Items	1,732,295.42	Other Liabilities	150,152.41
Collections in Transit	1,440,786.55		
Acceptances	814,931.77		
Other Resources	353,312.70		
Total	$165,980,937.98		$165,980,937.98

Charters were granted to the following Banks:

Paint Rock Bank, Paint Rock.
Wahouma Savings Bank, Wahouma Station, Birmingham.
Bank of Uriah, Uriah.
West End Savings Bank, West End, Birmingham.
Ariton State Bank, Ariton
Marshall County State Bank, Albertville.
Eufaula Bank and Trust Co., Eufaula.
Farmers & Merchants Bank, Fort Payne.
Farmers Bank, Anderson.

There were two consolidations and one failure. The failed bank had only $30,000.00 on deposit at the time of its failure.

Two banks changed from State banks to National Banks: The Alabama Bank and Trust Company of Montgomery, and the American Bank of Union Springs.

The Bank of Pittsview, Pittsview, and the Citizens Bank, Newton, voluntarily liquidated, all depositors and creditors being paid in full.

The Superintendent has on deposit in State Banks $33,510.11, which represents unclaimed deposits of banks that have failed for the past ten or twelve years. This amount will be certified into the State Treasury after it has remained in the hands of the Superintendent of Banks for a period of three years.

The Superintendent of Banks will retire from office on February 1, 1927. He has included in his last annual report suggestions as to amendments in the Banking Laws, his four years experience in office having proved to him that the laws could be changed to the advantage of the banks and at the same time make the supervision more efficient.

He recommends that the salaries of the Superintendent, Assistant Superintendent and examiners be increased so that competent men may be obtained and retained.

That a penalty be imposed on banks failing to keep the reserve required by law.

That stockholders of State Banks should be made liable for double the amount of their stock.

That the Banking Department be authorized to employ an attorney to represent the Superintendent in suits or indictments brought against him in the performance of his official duty.

That the firms not operating under the banking laws discontinue using the words "bank", "banking" or "trust company," or advertising so that the public might be deceived into thinking that the firm was operating as a bank.

That the office of the Superintendent of Banks be taken out of politics and the Superintendent be appointed by a banking board of competent and outstanding bankers, instead of by the Governor.

That provisions should be made for the Superintendent to employ attorneys to assist in the prosecution of bankers that violate the criminal law. It has been very hard to secure conviction of crooked bankers in Alabama.

That it be made possible for the Superintendent with the approval of the Banking Board to remove incompetent bankers from office.

I recommend the report of the Superintendent to your most careful consideration, and desire to express my gratitude to this Department for the splendid manner in which they have administered the affairs during the past four years.

CREDIT OF THE STATE

Alabama's credit ranks high today. Our bonds have sold above par and are much sought after. During my administration, the State has sold $20,000,000 of Highway Bonds and $5,000,000 of Harbor Improvement Bonds, making a total of $25,000,000. The relative greatness of this amount of bonds can better be appreciated when it is realized that, in 1925, for instance, only New Jersey, Pennsylvania, Illinois, Missouri and North Carolina showed greater increase in outstanding bonds than Alabama. Despite the large total amount of sales, the relative credit of the State of Alabama is today better than it was when this administration came into office.

Numerous large investment houses which would not handle State of Alabama bonds four years ago, now seek them. Many banks and many insurance companies own large blocks of Alabama bonds who would not consider them four years ago. The legal position of the Highway bonds has been clarified to the great advantage of the State. No opportunity has been lost to impress on the investing public, and particularly on bond distribution houses, the great natural resources of the State, its present prosperity and future prospects, and the remarkable showing made in the retirement of Highway bonds through the sinking fund created by Constitutional Amendment.

Competent authorities have expressed the opinion that the improvement in the State's credit brought about during the present administration has already resulted in large saving to the State, and that the ultimate saving can only be measured in terms of hundreds of thousands of dollars. A saving of 1-8 of 1% per annum in interest rate perhaps does not impress the average individual as important. However, on $25,000,000 of bonds such a difference, when compound interest is considered, would amount in twenty-five years to greatly in excess of two million dollars. It should be remembered that many of our bonds run for fifty years.

MUNICIPAL AND COUNTY BONDS

Unfortunately, the bonds of our counties and municipalities are not generally well regarded. This is due to the fact that our laws have not

been changed to meet modern conditions requiring large expenditures for roads, schools and other public purposes which can only be financed through bond issues. Theoretically it is impossible for an Alabama municipality to get in position where it cannot pay its debts.

An amendment to the Constitution expressing the intent of the people of Alabama that all debts shall be paid would clarify the situation and would, in the opinion of investment dealers, result in a tremendous saving in interest.

It is a fact that our larger cities pay from 1-4 of 1% to 3-4 of 1% more for money than corresponding cities in neighboring States, while the small towns find themselves handicapped with excess interest charges of from 1-2 of 1% to 2% per year.

Our laws governing the issuance of securities are found in various sections of the Code and are in many respects inconsistent. The Supreme Court has been called on to decide a number of such questions, while still other questions yet remain unsettled. To conform to modern practice, to improve our credit, and to greatly facilitate the sale of bonds by counties and municipalities, all laws relating to the issuance of bonds should be made to conform to the best practice and codified in one section.

I recommend that you appoint a small but well considered committee, charged with the duty of consulting with investment bankers, attorneys specializing in bond practice and municipal and county authorities, and report back a complete bond code to remedy the present situation.

The annual excess interest cost to the citizens of this State, attributed to improper statutes, is estimated at not less than $500,000, which sum will grow larger as activity increases. As in the case of the credit of the State, possibly the uninformed citizen is only mildly interested in a reduction of 1-4 or 1-2 of 1% a year in interest charges. Nevertheless, the use of compound interest table shows that a reduction in interest rate from 5 1-2% to 5% would in thirty-five years extinguish the entire debt.

I believe that this is financially one of the most important questions to be dealt with by the State, yet the burden on the individual taxpayer is so small that it has not received proper attention in the past. The matter is one that should be handled by experts and the incoming Legislature has an opportunity to render the State an invaluable service by the proper handling of this situation.

BONDED INDEBTEDNESS OF STATE

The total bonded indebtedness of the State today is $33,857,000.00, and should be carefully looked after by some one charged with this duty alone.

The Bond Commission has sold five series of Alabama Public Road, Highway and Bridge Bonds, aggregating $23,000,000.00, leaving $2,000,000.00 of the authorized issue unsold.

There have been sold five series of the Harbor Improvement Bonds, aggregating $5,000,000.00, leaving unsold $5,000,000.00 of the authorized issue.

All of these bonds were sold on a depositary agreement under a plan worked out by the State Bond Commission, on a deferred payment basis by which the purchasers of the bonds were to retain the deposits until such funds were needed by the State Highway Commission. Under this agreement the State was enabled to obtain a better price for the bonds.

The purchasers were permitted to withdraw the State bonds as sold by them and to substitute other securities, such substitution being made through a fiscal agent, the final approval being retained by the Bond Commission.

In order to ascertain the status of each account and the collateral held, as well as to know that the State was amply protected by the character and amount of securities held, it was necessary for the Bond Commission

to designate some responsible person to perform these official duties. This has been done by Honorable Geo. W. Ellis, State Treasurer and we have relied implicitly on his judgment in these matters.

Of the $23,000,000.00 Highway Bonds issued there has been retired $2,700,000.00 out of the Sinking Fund set aside to care for these bonds. This duty has been performed by Mr. Ellis, who has kept in close touch with the bond market and has been able to buy bonds at advantageous prices, at a saving of over $1,900,000.00 in interest prior to maturity of bonds.

Mr. Ellis has also looked after the extension of the certificates of deposit when funds were not actually needed by the Highway Department as fast as anticipated, and by such extensions from time to time the bond purchasers paid the State the rate of interest carried in the bonds. Under this arrangement there has been saved over $50,000.00 that would have been lost had the money been collected and placed in bank depositaries, who are not required under the statutes to pay interest on daily deposits.

Mr. Ellis has splendidly performed a large amount of these extra duties without compensation, which the law never contemplated that he should do as State Treasurer.

During the incoming administration it is contemplated that there will be issued the remaining $2,000,000.00 Highway Bonds, in addition to $25,000,000.00 Highway Bonds to be submitted in April, and also the remaining $5,000,000.00 Harbor Improvement Bonds. The duties of the State Treasurer are increasing each year and with this increased work, I believe the time has arrived for the Legislature to provide for the position of Bond Commissioner. If he performs his service as has Treasurer Ellis, he will save his salary many times over.

JUDICIARY

As has been truly said the highest concern of man on earth is justice, and it is vital to the welfare of the State that Alabama have a competent and independent judiciary. The increased high cost of living is such that judicial salaries are no longer attractive to lawyers of the highest ability, and several of the ablest judges have recently deemed it necessary, in justice to their families, to resign from the bench and re-enter private practice.

In view of the well known fact that living costs have approximately stabilized at an increase of 65 to 70 per cent over pre-war costs, it would be not only a matter of justice, but of wisdom that some adjustment of judicial salaries be made commensurate with the increased living costs. As is well known, the salaries of all Federal judicial officers have been recently substantially increased to meet such increased cost of living, and many of the States have also adjusted the compensation of the judiciary.

I, therefore, recommend that your Committee on Judiciary carefully study this question and recommend such relief as they deem expedient.

PROPERTY PURCHASED BY THE STATE

A Board, consisting of the Chief Justice of the Supreme Court, the Governor and the Attorney General, have, after careful investigation, acquired by purchase the following property in the vicinity of the Capitol. The deeds to this property are in the hands of the State Treasurer:

	Name and Location	Warrant No.	Amount
1924			
Jan. 25	Mrs. Mary Kirgin, Bainbridge St.	47333	$ 8,375.04
Mar. 24	J. M. Starke, Dexter Avenue	52254	45,000.00
May 19.	W. L. Van Pelt, Adams Street	56949	4,000.00
May 19.	Miss Alice Fogleman, Adams Street	56950	4,000.00

May	22.	Second Baptist Church, Adams St.	57140	2,055.67
May	22.	Second Baptist Church, Adams St.	57147	17,914.33
May	22.	Second Baptist Church, Adams St.	57167	30.00
Oct.	18.	F. O. McManus, Adams Street	214	4,672.55
Oct.	18.	G. P. McManus, Adams Street	215	8,934.13
Oct.	18.	Metropolitan Life Insurance Co., Mortgage on McManus property	216	2,751.89
1925				
July	3.	Ala. Lodge of Perfection, Dexter Avenue	22144	42,500.00
July	3.	Mrs. Annie U. Ford, Dexter Avenue	22349	1,500.00
July	21.	A. Franco, Dexter Avenue	23344	10,750.00
Aug.	11.	Alfred A. Kohn, Monroe St.	25628	1,800.00
Sept.	11.	P. M. Nicrosi, Agt., Dexter Avenue	27855	8,140.71
Sept.	30.	Mrs. E. J. Stowers, Mortgage on Van Pelt property	29741	2,070.00
Sept.	30.	W. L. Van Pelt, Adams St.	29742	4,891.87
Nov.	12.	First Nat. Bank, Note, Jannay P.	2622	330.79
Dec.	22.	Mrs. Rose K. Cohen, Note, Franco P.	6176	100.32
1926				
Feb.	1.	S. J. Cox, Mortg. Jannay P.	9912	2,600.00
Apr.	30.	First Nat. Bank, Note, Janney P.	17283	326.37
June	5.	Mrs. Rose K. Cohen, Note, Franco P.	19873	100.00
June	24.	Ethel Ramage, Adams Street	22144	6.459.83
Aug.	31.	F. M. Kohn & Sons, Agents, Slattery Property, Monroe Street	28552	7,423.81
Aug.	31.	Morris Dreyfus, Mortg. McManus Property	28558	1,035.00
Sept.	9.	Mrs. Effie Heime, Dexter Avenue	29147	14,341.96
Sept.	9.	Mrs. Anneala Moseley, Dexter Avenue	29148	14,341.96
Sept.	9.	Mrs. Lillie Cornelius, Dexter Avenue	29149	24,306.02
Nov.	1.	First Nat. Bank, Note, Janney P.	649	321.03
Dec.	6.	A. O. B. Nicholson	4671	4,851.45
Dec.	6.	Jno. W. Tullis	4672	560.00
Dec.	6.	E. G. Salter	4673	17,490.00
Dec.	6.	Mrs. Rose K. Cohen, Note, Franco P.	4720	100.00
Dec.	20.	Alice N. Doyle, Adams Street	5636	9,000.00
1927				
Jan.	4.	Agudath Israel, Monroe Street	7567	15,750.00
Jan.	4.	Baldwin		36,500.00
		Total		$325,324.73

NOTE: Under the heading of BOARD OF ADMINISTRATION reference was made to the purchase of certain farm lands, which purchase was made during this administration.

VETERANS OF FOREIGN WARS

This State has not properly recognized the Veterans of the Spanish-American War and the Veterans of the World War. I realize that so long as we have a Confederate soldier or widow of such soldier, the State is unable to pension the Spanish War or World War Veteran. Nor do they ask for or desire such pension from the State at this time. But I believe the State desires to recognize them and I believe they are worthy of such recognition. In order to aid the American Legion in its organization and the Spanish-American War Veterans in their organization, I recommend:

1. That $3,000.00 per annum be appropriated to the American Legion to assist them in their organization, payable to the proper officer designated, to assist them in the administration of their organization and in securing aid and assistance to the unemployed veterans who are worthy.

2. An appropriation of $2,000.00 to the Spanish-American War Veterans to aid them in the same manner in perfecting their organization and looking after those of their organization who are worthy.

3. That in one of the buildings recently purchased a room or office be set aside as the business office of these organizations.

In this manner we give recognition to these men who served faithfully in war, and aid them in these days of peace in their efforts to serve their comrades in war. To my mind, this will be a feeble tribute, however, small, to well-earned service by the men who served their country in war.

MAYFIELD'S WORK ON THE CONSTITUTION

To my mind, no greater statesman or jurist passed from this State than the late James Jefferson Mayfield. He was a Jeffersonian Democrat; he believed in the Constitution and adhered to its teachings. He believed that our people were drifting from the Constitution and wrote a book on the Constitution, which is regarded as a great reference book on this great document. Believing that our youth should know more of the Constitution and its bearing on government, I respectfully recommend that $5,000.00, or so much thereof as may be necessary, be appropriated to the Educational Department to purchase the remaining copies of Mayfield's work on the Constitution and that these volumes be distributed to every college and school library, both city and rural, in the State, as a reference book on the Constitution, thereby giving opportunity to the boy and girl to acquaint themselves with the great document upon which our government was founded.

PAROLES

In handling this question I quote from a speech I recently delivered:

"Perhaps I have received more criticism from exercising the parole power than any other act. The spirit of forgiveness and restoration to home has been freely exercised. In my opinion, this matter of parole is not fully understood.

First, let me say that the parole is only issued to a man after he has served a part of his sentence and only gives him an opportunity for reformation. Unlike a pardon, parole is issued during good behavior and in every instance where a man violates his parole and misbehaves or shows a disposition to violate the law, he is returned to prison and required to serve out his full term. I do not recall an instance where I have paroled a violator that was not recommended either by the Trial Judge, the Solicitor or the Board of Pardons, besides leading citizens in the community.

If you could be in my office and see the number of women and children in absolute want, who are objects of charity, appealing for their husbands and fathers, your heart would be touched, and it is gratifying for me to report that literally scores of men under this system, with the parole hanging over them, who have returned to their homes, have their children in school, are supporting their families and are crusaders for law enforcement. There are instances where some men have not lived up to their parole and I have instantly revoked the parole. In my opinion, as the facts will demonstrate, this system of paroling has returned many former law breakers back to their families and is making out of them law-abiding citizens. It is my purpose, as far as I can, to reform these poor unfortunates and give them an opportunity in life to reclaim themselves. The spirit of our churches is that no matter how steeped in sin a man has been, if he is truly

penitent, they extend a helping hand to restore him and show a forgiving spirit. The parole gives him an opportunity to reform.

It has been a source of gratification to me to visit the homes of many of whom I have paroled and find them law-abiding and in many instances, Christian citizens, because they have been given a chance. The parole is held over them in case they wander from the path of rectitude and right. Many people think the parole is a pardon and are under the impression that no restraint is over the paroled man and that he is paroled on the plea of law violators and those not interested in law enforcement, but it might be interesting to you to know that there is hardly a day that ministers of the Gospel, of every creed and faith, are not in my office appealing to me to give those poor unfortunate men a chance by trying them out under the parole system. In order that you may know that I am keeping up with these men, I have issued an order to my Law Enforcement Constabulary to report to me the conduct of every paroled prisoner in every county in Alabama. I have furnished to them a list of these paroled prisoners and I am receiving reports as to their conduct. Where they are not being reformed and are violating their parole I immediately revoke the parole, and return the convict to prison, requiring him to serve out his full term.

I would like to have an opportunity to show to some of you the homes of these paroled men, that was a den of iniquity, and now a home of peace, quietude and happiness. I consider that the outstanding feature of my administration has been the reformation of many men who were handling liquor, and who have gone back home under the parole system, reformed men, co-operating with those who are determined to enforce the law. We are using every agency possible to enforce the law and when we can reform a man by giving him a chance and sending him back home to his family a reformed man, holding the parole over him in order to accomplish this, I think we are doing much for the purification of our country, the betterment of our citizenship and the enforcement of our laws. If any person will indicate to me any individual whom I have paroled, who is not living a clean, upright life, he will be immediately returned to prison to serve out the remainder of his term, upon the proper evidence of course. It seems to me that this answers the question as to whether or not the system I am using is conducive to law enforcement.

I can show you file upon file of applications for paroles that are signed by ministers, as stated above, and I am besieged every week by the best men of the community, to parole prisoners whose families are almost destitute.

Taking into consideration the fact that this administration is handling more convicts, due to the strict enforcement of the law, and that every application for parole is endorsed by either good citizens, trial judges, solicitors, and the Board of Pardons, do you not think that every inducement should be offered a man to reform, save his family and his soul? If my theory is not correct, then my religious training has been of no avail.

Because a man has sinned is no reason that he cannot be forgiven, reform his life and make a good citizen. I am determined to enforce the law, but in its enforcement, I do not think that penal servitude is for punishment alone, but is intended to reform the man and to deter others from committing crimes. My heart and my efforts are to rigidly enforce the law and drive out those things that tend to break down our civilization, our homes and our churches as well as our communities. The record is being made to be read of all men and I think that at the close of my administration, I will be able to demonstrate that under the parole system, I have done more to give respect to law, enforcement of law and the reformation of some of our citizens by the parole system than by any other method I could have used. When a man goes out after having served his full term, there is no inducement for him, so far as punishment is concerned, to be reformed. If,

however, he has served all of his term except a few months or weeks, and that still hangs over him and he goes out with the sympathy of the officials, in nine cases out of ten, because of that parole hanging over him and the danger of having to serve out the rest of his term, he turns about and forms habits that eventually develop him into a good citizen. If this is wrong, then I am guilty, but as long as I can reach down and help a poor fellow to a better life and better citizenship, it is my intention to do so. What we need in this State is more co-operation on the part of our citizens for the enforcement of the law. If all our people would quit purchasing liquor from these poor, ignorant distillers, they would not then encourage them to make it, there would be fewer paroles for the Governor to issue. What we need is a sentiment among respectable people to frown upon the purchase of prohibited liquors and not create a market to encourage the sale thereof.

In July of last year I received a letter from the late lamented Dr. W. B. Crumpton, the great pioneer in humane work, who has gone to his final reward, enclosing a letter from one of his friends criticising me severly for using the parole. I outlined to him my policy and when he had read my views, he wrote the following letter to some of the newspapers in Alabama. I use it now to show that this man of God believed that it was "human to err, divine to forgive".

'Mr. Editor:

There has been much criticism of our good Governor Brandon about the number of convicts he paroles. One of these criticisms from a good man reached me and I submitted it to the Governor. In his reply to me he makes his position so clear and praiseworthy, I asked his permission to broadcast it through the press.

This he cheerfully agreed to do and I submit it to you. It is a matter of wide-spread interest. I think the people ought to be informed about it. Will you kindly aid in giving it publicity? I will be grateful if you will and it will be pleasing, I am sure to your readers.

The Governor's policy is so hedged about and discriminatingly administered only good can come from it.

Thanking you in advance for the use of your column, I am

'Your fellow citizen,

July 25, 1925.' (Signed) W. B. Crumpton.

In Alabama prisons we use the honor system. A man is classified and if after three months his conduct is good and he obeys the regulations and rules of the Prison, he is taken out of stripes and classed "A". As long as he continued to have good conduct he remains in Class "A". I recall no instance where a man or woman who has been paroled who was not in Class "A". Now if a prisoner proves in prison that he is a reformed man, obeys the regulations and lives an upright life, is this not evidence of his intention to lead a new and better life? To my mind it is, and if the Man of Galilee could forgive the thief on the Cross, the Governor of Alabama can well afford to follow his example and give the unfortunate a chance to reform."

I have issued many paroles and am gratified that more than 90 per cent are making good citizens.

As required by law I transmit to your body the order issued in each case in which clemency is granted and my reasons therefor.

CONCLUSION

In conclusion I desire to say that in this cursory way I have tried to review in part the activities of the State and make, in part, an accounting of our stewardship. I think a close study of the records will show that our

promises have been fulfilled. Every effort has been put forth to bring peace and happiness to our people. I have had many responsibilities—I may have made many mistakes—No man is free from mistakes—But I leave the high office which was given me acquitted at the bar of my own conscience of having done my best in the discharge of my duties. I have been ably assisted and I desire to make public acknowledgment to the Legislature of 1923, who cooperated with me and passed the laws that have meant so much to the progress of the State.

To every Department of State Government, from Chief to employee, who made it possible to accomplish what has been done I owe a debt of gratitude, and to them is due what success we have attained. We have worked in harmony and all have been faithful to their trust and honest in the discharge of their tasks.

To my Private Secretary, Honorable A. L. Tyson, I am perhaps more indebted than to any other person. He has, in season and out of season, been my strong, right arm. I have leaned upon him in every emergency; his services have been efficient. To him is due the credit for the repairs of our historic Capitol. His business sagacity, his unselfish devotion, his faithfulness to every trust has endeared him to me, and no man has contributed more to the administration than has he. I am under deep personal obligations to him, which can never be repaid.

The other members of my office staff have been faithful and efficient and to all I make my acknowledgments.

God has been good to us during my administration. There has been no clash between labor and capital. There has not been a single riot or mob. Prisoners have received fair trials. I have had no occasion to call upon the militia to quell riots or enforce the law. Our people are busy and happy. For these things I am profoundly grateful to that Divine Ruler who governs the Universe and to whom I go in each and every instance for strength and guidance.

Trusting that your session will prove harmonious and that your deliberations will redound to the good of our beloved Commonwealth, I am,

With great respect,

Sincerely yours,

WM. W. BRANDON,

Governor.

January 11, 1927.

The purpose of the Joint Session having been accomplished, the Senate returned to its Chamber.

The Senate re-assembled at 4:50 P. M., Lieutenant Governor McDowell Presiding.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Moore	Warren
Craft	Jack	Nixon	Williams
Edgar	Jackson	Oliver	Young

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ORDER TO PRINT

On motion of Mr. Stokes, 200 Copies of the Governor's Message were ordered printed for use of the Senate.

On motion of Mr. Nixon, 200 copies of the Report of the State Docks Commission were ordered printed for use of the Senate.

RESOLUTIONS.

Mr. Brown offered the following Joint Resolution:

S. J. R. 10. Be it resolved by the Senate, the House concurring:

1st: That a joint committee of the Senate and House is hereby created, to consist of two members on the part of the Senate, to be appointed by the Presiding Officer of the Senate, and three members on the part of the House, to be appointed by the Speaker of the House, who shall elect one of their number as Chairman of such Committee:

2nd: It shall be the duty of this committee to investigate the School Text Books of the State as to whether or not any law has been violated as to carrying out any contracts in supplying school vestigation that may be advisable in making a full report of the Text Books of the State.

3rd: This committee shall have full power and authority to call for individuals, documents, books, papers and any other information deemed necessary in making such investigation,

4th: That it shall be the duty of said committee to make such recommendations to the Legislature from its findings as they may think best, and to make report in a reasonable time.

Which was read at length and referred to the Standing Committee on Rules.

ADJOURNMENT.

At 5:05 P. M., on motion of Mr. Carlton, the Senate adjourned until 10 o'clock to-morrow morning.

SECOND DAY

Wednesday, January 12, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor McDowell, presiding.

PRAYER.

By Rev. J. K. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young

—32

JOURNAL.

On motion of Mr. Carlton the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

OATH OF OFFICE

Hon. John K. Thompson, Senator from the 5th Senatorial District, and Wilbur B. Nolen from the 34 District, being present, they came forward and the President of the Senate administered to them the oath of office required by the Constitution and each of them affixed his signature to said oath as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me, God."

Wilbur B. Nolan,
John K. Thompson.

LEAVES OF ABSENCE

On motion of Mr. Teasley, leave of absence was granted Messers Smith and Walker for to-day.

APPOINTMENT OF INAUGURAL COMMITTEE

Pursuant to S. J. R. 5, adopted on yesterday, providing for a Joint Inaugural Committee of five from the Senate and seven from the House, the President of the Senate appointed as a Committee on part of the Senate Messers James, Walton, Bradford, Stokes and Nolen.

MOTION TO RE-CONSIDER VOTE

Mr. Ellis of Shelby moved that the vote by which the Senate on yesterday adopted S. R. 6 be re-considered.

Mr. Teasley moved that the motion made by Mr. Ellis of Shelby, be laid on the table, which prevailed and the motion of Mr. Ellis of Shelby was laid on the table.

Yeas, 24; Nays, 5.

Yeas:
Messrs:

Bonner	Edgar	Jackson	Stanley
Brown	Fite	James	Teasley
Caffey	Hall	Jones	Walton
Carlton	Hines	Loflin	Warren
Cowan	Holmes	Moore	Williams
Craft	Jack	Nixon	Young

—24

Nays:
Messrs:

Ellis of Shelby	Nolen	Stokes	Thompson
Justice			

—5

RESOLUTIONS

Mr. Ellis of Dallas, offered the following Joint Resolution:

S. J. R. 11. Resolved by the Senate, the House concurring, that the two Houses meet in Joint Session today at 10:30 A. M. in the Hall of the House of Representatives to hear an address by General Sibert.

Which was, under a suspension of the rules, adopted.

Mr. Fite offered the following Senate Resolution:

S. R. 12: Resolved by the Senate, that the Secretary of the Senate be, and he hereby is, authorized and directed to have printed for use of the Senate 1000 copies of the Rules of the Senate, with the name and address of the members of the House and Senate, and the Standing Committees of the House.

That the Rules of the Senate of 1923 be adopted as the permanent Rules of this Senate.

Which was, under a suspension of the Rules, adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted S. J. R. 11. Relative to a Joint session of the two Houses today at 10:30 a. m. to hear an address by General Sibert.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

I am directed by the Governor to hand you herewith his message concerning the appointment of trustees for the Alabama School for the Deaf at Talladega, Alabama.

Respectfully submitted,
A. L. Tyson,
Secretary to the Governor.

January 12, 1927.

Gentlemen of the Senate:

In accordance with the provisions of Section 540 of the School Code of Alabama, 1924, vacancies occurring in the office of the trustees of the Alabama School for the Deaf shall be filled by appointment of the Governor, by and with the consent of the Senate:

I, therefore, herewith report to you the appointment of the following trustees for the Alabama School for the Deaf:

William McLeod, Mobile, Alabama, First District, to succeed S. F. Cunningham, for term ending November 28, 1932.

Jack Thorington, Montgomery, Alabama, Second District, to succeed himself, for term ending November 28, 1932.

Robert Lee Bell, Union Springs, Alabama, Third District, to succeed himself, for term ending November 28, 1932.

S. C. Oliver, Talladega, Alabama, Fourth District, to succeed M. H. Sims, for term ending November 28, 1932.

W. H. Boynton, Talladega, Alabama, Fourth District, to succeed himself, for term ending November 28, 1930.

Alto V. Lee, Gadsden, Alabama, Seventh District, to succeed himself, for term ending November 28, 1930.

J. L. Gunter, Albany, Alabama, Eighth District, to succeed R. H. Walker, for term ending November 28, 1930.

J. Frank Rushton, Birmingham, Alabama, Ninth District, to succeed himself, for term ending November 28, 1930.

I submit these appointments for your consideration and confirmation.

Respectfully,
Wm. W. Brandon,
Governor.

January 12, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Ellis of Dallas, the Senate confirmed the appointment by His Excellency, the Governor, of the following Trustees of the Alabama School for the Deaf, to-wit:

William McLeod, Mobile, Alabama, First District, to succeed S. F. Cunningham, for the term ending November 28, 1932.

Jack Thorington, Montgomery, Alabama, Second District, to succeed himself, for term ending November 28, 1932.

Robert Lee Bell, Union Springs, Alabama, Third District, to succeed himself, for term ending November 28, 1932.

S. C. Oliver, Talladega, Alabama, Fourth District, to succeed M. H. Sims, for term ending November 28, 1932.

W. H. Boynton, Talladega, Alabama, Fourth District, to succeed himself, for term ending November 28, 1930.

Alto V. Lee, Gadsden, Alabama, Seventh District, to succeed himself, for term ending November 28, 1930.

J. L. Gunter, Albany, Alabama, Eighth District, to succeed R. H. Walker, for term ending November 28, 1930.

J. Frank Rushton, Birmingham, Alabama, Ninth District, to succeed himself, for term ending November 28, 1930.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Thompson
Caffey	Hall	Loflin	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Nolen	Young
Edgar	Jackson	Stanley	

—31

Nays:—None.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

I am directed by the Governor to hand you herewith his message concerning the appointment of trustees for the "Alabama College", at Montevallo, Alabama.

Respectfully submitted,
A. L. Tyson,
Secretary to the Governor.

January 12, 1927.

Gentlemen of the Senate:

In accordance with the provisions of Section 460 of the "School Code of Alabama" 1924, vacancies occurring in the office of the trustees of the "Alabama College" shall be filled by appointment of the Governor, by and with the consent of the Senate.

I, therefore, report to you herewith the appointment of the following trustees for the "Alabama College":

John McQueen, Tuscaloosa, Alabama, for the Sixth District, to succeed R. B. Evins, resigned, for term ending 1939.

W. D. Graves, Alexander City, for the Fifth District, to succeed M. A. Graham, term ending 1935.

I submit these appointments for your consideration and confirmation.

Respectfully,
Wm. W. Brandon,
Governor.

January 12, 1927.

GOVERNOR'S MESSAGE

On motoin of Mr. Ellis of Dallas, the Senate confirmed the appointment by the Governor of the following Trustees of the "Alabama College", to-wit:

John McQueen, Tuscaloosa, Alabama, for the Sixth District, to succeed, R. B. Evins, resigned, for term ending 1939.

W. D. Graves, Alexander City, for the Fifth District, to succeed M. A. Graham, term ending 1935.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Thompson
Caffey	Hall	Loflin	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Nolen	Young
Edgar	Jackson		

—30

Nays:—None.

RESOLUTION

Mr. Craft offered the following Senate Joint Resolution:

S. J. R. 13. Be it resolved by the Senate, the House concurring, that there is established and to be called, a road known as the Jefferson Davis Highway, that is to say:

That certain road commencing at the bridge across the Chattahoochee River at Eufaula, Alabama, and running through the City of Eufaula, and then in a Northwesterly direction by Lugo, Batesville, Comer, in Barbour County, and thence to Midway, Three Notch, Union Springs and then on into Montgomery.

This road has been designated as the Jefferson Davis Highway in honor of Jefferson Davis, the President of the Confederate States of America, who has been honored by having a highway commencing in the State of Virginia, running Southward through the other states lying between Virginia and Alabama; and this action is taken by the Legislature of the State of Alabama in order to perpetuate and honor the memory of the Chieftain of the Confederacy.

Which was, under a suspension of the Rules, adopted.

JOINT SESSION

The hour of 10:30 having arrived, pursuant to Joint Resolution heretofore adopted, the Senate adjourned to the Hall of the House of Representatives to hear an address by General William L. Sibert.

The Joint Session was called to order by Lieutenant Governor Charles S. McDowell, Jr., President of the Senate, who directed the Secretary to call the roll of the Senate, when the following members answered to their names:

Messrs:			
Bonner	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Stanley	Young
Ellis of Dallas	James		—30

The Speaker of the House then directed the Clerk of the House to call the roll of the House and the following members answered to their names:

Messrs:			
Mr. Speaker	Goode	Luck	Rogers (Elmore)
Adcock	Goodwyn	McAdory	Rogers (Mobile)
Allen	Graves	Martin	St. John
Anderson	Grove	Matthews	Sanders (Conecuh)
Ashcraft	Gullatt	Merrill	Sanders (Pike)
Baldwin	Guy	Miller (Marengo)	Sanderson
Bartlett	Hampton	Miller (Sumter)	Shepherd
Brunson	Harwood	Molette	Shivers
Bryant	Hawkins	Monk	Simpson
Burleson	Hightower	Morrow	Smith
Burns	Hollis	Moxley	Starnes
Byars	Howard	Mullen	Stephens
Cannon	Howell	Nipper	Stewart (Bibb)
Carter	Hubbard	Norman	Stewart (Calhoun)
Christian	Hughes	Owens	Thompson
Cockrell	Jeter	Parish	Tompkins
Cook	Johnson	Patterson	Tunstall
Darden	Jones (Bullock)	Pegues	Vickers
Delaney	Jones (Cleburne)	Pitts	Waddell
Denson	Jordan (Etowah)	Poole	Wallace
Desear	Jordan (Washington)	Powell	Ward (Geneva)
Edmundson	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Edwards	Langdon	Rankin	Ware
Fite	Lawler	Reeder	Webb
Frey	Lee	Ringer	Weldon
Golson	Lovelace	Rivers	—103

Lieutenant Governor McDowell, President of the Senate, then announced that a quorum of the Legislature of Alabama was present, and that the purpose of the Joint Session was to hear an address by General William L. Sibert.

, General Sibert was then presented and delivered his address, at the conclusion of which:

JOINT SESSION TO CANVASS ELECTION RETURNS

The hour of 11 o'clock having arrived, pursuant to Joint Resolution heretofore adopted, the Legislature of Alabama met in the Hall of the House of Representatives to witness the opening of the returns, and the counting, ascertaining and proclaiming the results of the votes cast for Executive Officers of the State of Alabama, at the General Election held on Tuesday after the First Monday in November, 1926, being the 2nd day of November, 1926.

The Joint Session was called to order by Lieutenant Governor Charles S. McDowell, Jr., President of the Senate, who directed the Secretary to call the roll of the Senate, when the following members answered to their names:

Messrs.:			
Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Thompson
Caffey	Hall	Loflin	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nixon	Williams
Craft	Jack	Nolen	Young
Edgar	Jackson	Stanley	—31

The Speaker of the House then directed the Clerk of the House to call the roll of the House of Representatives, when the following members of the House answered to their names:

Messrs.:			
Mr. Speaker	Goode	McAdory	Rogers (Mobile)
Adcock	Goodwyn	Martin	St. John
Allen	Graves	Matthews	Sanders (Conecuh)
Anderson	Grove	Merrill	Sanders (Pike)
Ashcraft	Gullatt	Miller (Marengo)	Sanderson
Baldwin	Guy	Miller (Sumter)	Shepherd
Bartlett	Hampton	Molette	Shivers
Brunson	Harwood	Monk	Simpson
Bryant	Hawkins	Morrow	Smith
Burleson	Hightower	Moxley	Starnes
Burns	Hollis	Mullen	Stephens
Byars	Howard	Nipper	Stewart (Bibb)
Cannon	Howell	Norman	Stewart (Calhoun)
Carter	Hubbard	Owens	Thompson
Christian	Hughes	Parish	Tompkins
Cockrell	Jeter	Patterson	Tunstall
Cook	Johnson	Pegues	Vickers
Darden	Jones (Cleburne)	Pitts	Waddell
Deloney	Jordan (Etowah)	Poole	Wallace
Denson	Jordan (Washington)	Powell	Ward (Geneva)
Desear	Kirkpatrick	Quillin	Ward (Tuscaloosa)
Edmundson	Langdon	Rankin	Ware
Edwards	Lawler	Reeder	Webb
Fite	Lee	Ringer	Weldon
Frey	Lovelace	Rivers	Winn
Golson	Luck	Rogers (Elmore)	—103

The President Pro-tempore of the Senate announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the Joint Session was to open the returns of, count, ascertain and proclaim the result of the election held on Tuesday after the First Monday in November, 1926, being the 2nd day of November, 1926, for Executive officers of the State of Alabama.

The Speaker of the House of Representatives then proceeded to open and publish in the presence of the Legislature of Alabama, and in the presence of a majority of the members of the Legislature of Alabama in Joint Convention assemblded, the returns of the Election held on Tuesday after the First Monday in November, 1926, being the 2nd day of November, 1926, for the Executive Officers of the State of Alabama, to-wit: For Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education and Commissioner of Agriculture and Industries.

RESULT OF ELECTION

The Speaker of the House then proclaimed the result of the election as follows:

GOVERNOR'S OFFICE
DO NOT REMOVE

Counties	Governor		Lieutenant Governor		Secretary of State		State Auditor	
	Bibb Graves	John A. Bingham	Wm. C. Davis	Sumter Cogswell	John Brandon	Chas. S. Phillips	S. H. Blan	Robert C. Lovvorn
Autauga	670	23	749	21	748	22	749	20
Baldwin	1,447	94	1,403	99	1,386	112	1,395	96
Barbour	839	5	833	5	830	5	826	5
Bibb	849	29	838	26	833	29	840	26
Blount	1,988	773	1,954	779	1,938	780	1,938	780
Bullock	380	3	380	3	380	3	380	3
Butler	682	10	679	11	677	9	679	9
Calhoun	1,194	46	1,182	45	1,177	46	1,176	45
Chambers	944	8	950	8	941	9	942	9
Cherokee	1,198	137	1,176	135	1,179	140	1,173	137
Chilton	1,321	1,609	1,255	1,618	1,249	1,620	1,243	1,621
Choctaw	748	1	748	1	748	1	747	1
Clarke	965	7	961	6	958	8	960	7
Clay	1,627	686	1,563	683	1,500	738	1,548	689
Cleburne	1,080	393	924	411	919	416	907	419
Coffee	1,468	17	1,446	17	1,436	18	1,439	17
Colbert	1,979	171	1,888	168	1,855	175	1,869	156
Conecuh	1,071	16	1,064	16	1,057	17	1,058	17
Coosa	1,062	166	1,031	137	1,012	150	1,021	137
Covington	1,147	13	1,161	12	1,170	12	1,172	14
Crenshaw	706	2	707	2	708	2	706	2
Cullman	2,453	1,243	2,187	1,292	2,115	1,323	2,116	1,298
Dale	875	21	861	23	844	23	856	23
Dallas	1,006	6	1,008	6	1,008	6	1,008	6
DeKalb	3,792	3,530	3,701	3,544	3,679	3,574	3,677	3,514
Elmore	1,285	17	1,285	17	1,283	16	1,283	16
Escambia	1,032	18	1,002	19	1,004	19	998	18
Etowah	1,869	359	1,830	365	1,809	376	1,816	368
Fayette	1,700	742	1,582	752	1,541	755	1,530	748
Franklin	2,370	1,935	2,310	1,949	2,264	1,957	2,266	1,948
Geneva	1,277	283	1,218	281	1,211	286	1,216	281

Greene	382	4	382	4	382	4	382	4
Hale	639	3	639	4	639	4	638	4
Henry	583	21	581	21	581	21	581	21
Houston	1,037	29	1,031	30	1,031	30	1,029	30
Jackson	1,237	165	1,218	163	1,216	168	1,210	169
Jefferson	7,414	428	7,441	397	7,325	441	7,321	403
Lamar	762	22	758	22	757	22	759	22
Lauderdale	1,986	343	1,955	335	1,930	348	1,938	330
Lawrence	731	170	706	169	997	170	698	168
Lee	960	14	958	14	958	14	958	14
Limestone	622	14	621	14	621	14	621	15
Lowndes	434	2	434	2	434	2	434	2
Macon	342	3	342	3	342	3	342	3
Madison	947	31	936	29	951	30	940	29
Marengo	1,142	2	1,065	1	1,065	1	1,062	1
Marion	1,624	327	1,606	333	1,587	336	1,579	337
Marshall	2,509	751	2,385	738	2,343	742	2,347	732
Mobile	5,290	249	5,137	223	5,079	292	5,109	232
Monroe	910	2	910	2	910	2	910	2
Montgomery	2,442	15	2,401	15	2,453	11	2,453	12
Morgan	1,404	59	1,328	59	1,354	62	1,371	57
Perry	440	1	440	1	440	1	440	1
Pickens	642	6	637	6	637	6	635	6
Pike	881	22	877	21	876	21	879	21
Randolph	1,313	279	1,268	291	1,257	337	1,251	318
Russell	310	7	287	7	309	5	310	7
Shelby	2,581	1,679	2,427	1,682	2,393	1,693	2,401	1,689
St. Clair	1,796	1,173	1,627	1,241	1,565	1,188	1,560	1,175
Sumter	571	1	571	1	571	1	571	1
Talladega	1,448	235	1,416	216	1,413	218	1,406	214
Tallapoosa	1,373	32	1,372	32	1,372	32	1,372	52
Tuscaloosa	1,161	13	1,154	14	1,152	13	1,135	13
Walker	4,369	1,989	4,240	1,990	3,834	2,098	3,818	2,072
Washington	491	4	489	4	488	4	487	4
Wilcox	646	.....	646	.....	646	.....	646	.....
Winston	988	1,148	923	1,144	888	1,149	886	1,149
Totals	94,331	21,606	91,084	21,859	89,955	22,130	89,963	21,729

Counties	State Treasurer		Supt. of Education		Commissioner of Agriculture and Industries		Attorney General	
	W. B. Allgood	L. A. Carroll	R. E. Tidwell	Mrs. Mattie Owens	S. M. Dunwoody	G. R. Horton	Charlie C. McCall	J. Foy Guin
Autauga	750	20	749	24	746	24	749	21
Baldwin	1,408	101	1,397	119	1,390	100	1,403	91
Barbour	830	5	829	5	836	5	834	5
Bibb	840	27	840	26	837	27	839	26
Blount	1,940	782	1,924	810	1,931	784	1,935	784
Bullock	380	3	380	3	380	3	380	3
Butler	679	9	687	10	688	9	688	9
Calhoun	1,175	48	1,174	49	1,172	47	1,177	46
Chambers	951	9	941	9	941	7	939	9
Cherokee	1,183	139	1,173	139	1,173	133	1,163	135
Chilton	1,251	1,623	1,236	1,606	1,239	1,624	1,239	1,639
Choctaw	747	1	747	1	747	1	747	1
Clarke	959	9	958	7	958	7	960	8
Clay	1,550	684	1,554	701	1,535	682	1,545	686
Cleburne	925	409	945	393	903	414	906	399
Coffee	1,439	17	1,437	18	1,441	17	1,439	18
Colbert	1,869	162	1,869	172	1,853	173	1,846	173
Conecuh	1,057	16	1,058	14	1,057	16	1,058	16
Coosa	1,013	149	1,010	156	1,007	143	1,017	140
Covington	1,172	12	1,171	12	1,172	12	1,173	12
Crenshaw	707	2	707	2	707	2	707	2
Cullman	2,172	1,288	2,188	1,279	2,105	1,307	2,118	1,292
Dale	858	23	855	24	855	23	857	21
Dallas	1,008	6	1,008	6	1,008	6	1,008	6
DeKalb	3,713	3,555	3,703	3,538	3,660	3,576	3,675	3,539
Elmore	1,283	18	1,285	17	1,285	16	1,284	16
Escambia	1,005	15	997	17	994	17	995	17
Etowah	1,826	364	1,832	364	1,813	369	1,828	365
Fayette	1,546	788	1,543	746	1,509	750	1,533	751
Franklin	2,283	1,955	2,289	1,961	2,255	1,956	2,264	1,981

Geneva	1,203	316	1,215	289	1,212	286	1,223	281
Greene	382	4	382	4	381	4	382	4
Hale	639	4	639	4	638	4	638	4
Henry	581	22	581	22	583	21	581	21
Houston	1,029	30	1,033	29	1,030	30	1,029	30
Jackson	1,224	168	1,221	162	1,211	165	1,213	163
Jefferson	7,366	393	7,396	408	7,297	408	7,781	415
Lamar	759	22	759	22	759	22	759	22
Lauderdale	1,941	334	1,937	337	1,930	335	1,943	337
Lawrence	699	170	699	170	695	169	694	166
Lee	958	14	959	16	959	15	958	15
Limestone	622	14	621	15	622	14	621	14
Lowndes	434	2	434	2	434	2	434	2
Macon	342	3	342	3	342	3	342	3
Madison	944	29	946	29	948	29	944	31
Marengo	1,061	1	1,064	1	1,063	1	1,056	1
Marion	1,581	336	1,584	341	1,574	337	1,578	341
Marshall	2,385	739	2,357	758	2,333	747	2,351	731
Mobile	5,076	250	5,128	290	4,978	255	5,150	233
Monroe	910	2	910	2	910	2	910	2
Montgomery	2,453	14	2,451	15	2,453	12	2,453	12
Morgan	1,361	61	1,374	64	1,355	53	1,378	58
Perry	440	1	440	1	440	1	440	1
Pickens	636	6	636	6	635	6	635	6
Pike	875	22	874	21	844	21	872	21
Randolph	1,262	395	1,257	296	1,253	292	1,257	289
Russell	311	7	311	7	311	7	312	7
Shelby	2,401	1,690	2,404	1,697	2,379	1,692	2,396	1,689
St. Clair	1,600	1,157	1,606	1,186	1,560	1,176	1,555	1,172
Sumter	571	1	571	1	571	1	571	1
Talladega	1,413	211	1,413	214	1,401	213	1,412	212
Tallapoosa	1,372	32	1,372	32	1,372	32	1,372	32
Tuscaloosa	1,139	13	1,135	15	1,134	15	1,137	14
Walker	3,845	2,069	3,842	2,115	3,774	2,122	3,789	2,076
Washington	488	4	488	4	488	4	487	4
Wilcox	646		646		646		646	
Winston	893	1,149	900	1,148	887	1,156	886	1,149
Totals	90,301	21,924	90,413	20,954	89,865	21,901	90,482	21,697

The Senate re-assembled at 11:25, Lieutenant Governor McDowell Presiding.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate Standing Committees as follows:

By Mr. Fite:

S. B. 33. To make appropriations to the Alabama Boys Industrial School.

Finance and Taxation.

By Mr. Teasley:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

Banking and Insurance.

REPORTS OF COMMITTEES

Mr. Warren, Chairman of the Standing Committee on Seaports reported that said Committee in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report and it was read a second time and placed on the calendar, to-wit:

By Mr. Mitchell: (With amendment):

S. 1. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State when authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement, of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and op-

erating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, of members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all of said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, County and municipal taxation structures and improvements as well as all permanent facilities erected, installed or located, within said boundaries by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obstruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to require all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements; including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz: Sections 2427 to 2517, both inclusive.

Mr. Cowan, acting Chairman of the Standing Committee on Rules reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 20. To provide for the employment of subordinate employees of the Legislature.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Teasley: (with amendment):

S. 28. To amend Section 1530 of the Code of Alabama of 1923.

Mr. Craft, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 32. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

RESOLUTION

Mr. Nixon offered the following Joint Resolution, which was read at length and referred to the Standing Committee on Rules.

S. J. R. 14. Be it Resolved by the Senate of Alabama, the House of Representatives concurring, That,

Whereas, in the past, more or less confusion has prevailed during Devotional Exercises; and,

Whereas, we deeply feel our dependence upon Almighty God for our wisdom and guidance in our deliberations upon the questions and affairs of the great Commonwealth we have the honor to represent; and,

Whereas, we desire to show due reverence to God, the ruler and Governor of all men:

Therefore, Be it Resolved, That we recommend that small electric light with red bulb and an electric bell, be installed in the Senate Chamber and House of Representatives, and in each and every room, hall and corridors of the Capitol building, with a suitable push button at a convenient place whereby the Presiding Officer my turn on the current, which shall be arranged to ring the bill three seconds and cause the illumination of the red bulbs until the current shall be cut off; that on convening of the Senate or House of Representatives, the Presiding Officer shall turn on the current at the beginning of Devotional Services and cut off the current at the completion of said Devotional Exercises.

Resolved Further, That on the ringing of the aforesaid bell, each and every person in the Capitol building shall stand, males uncovered, reverently maintaining order, so long as the red lights are burning and until the Devotional Ceremony is concluded.

A MESSAGE FROM THE HOUSE

Mr. President:

In accordance with S. J. R. 5, heretofore adopted, the Speaker of the House named as a Committee to arange for the proper inauguration of the incoming Governor and Lieut.-Governor on the part of the House the following members:

Messrs. Goodwyn, chm., Martin, Sanderson, Carter, Tompkins, Fite and Merrill.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the First and Second legislative days, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journals of the Senate for the First and second legislative days were approved by the Senate.

ADJOURNMENT

At 11:45 A. M., on motion of Mr. Ellis of Dallas, the Senate adjourned until 2 o'clock to-morrow afternoon.

THIRD DAY

Thursday, January 13, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor McDowell presiding.

PRAYER

By Rev. Jenkins, Door-keeper of the Senate.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young
Ellis of Dallas			

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JOURNAL

On motion of Mr. Jack, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 35. To amend an Act entitled "An Act To Make A Donation of the State Capitol at Tuscaloosa", approved on January 28, 1852, and found on page fifty-five (55) of the Acts of Alabama, 1851-2.

Revision of Laws.

By Mr. Oliver:

S. 36. To authorize the loan of money at 7% or less, and to aggregate the principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

Banking and Insurance.

By Mr. Fite:

S. 37. To adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923 and incorporated

in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

Judiciary.

By Mr. Holmes:

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both Civil and Criminal, and to make an appropriation for the expense of same.

Fish, Game and Forestry.

Also:

S. 39. To provide for a closed season on fresh water food fishes in the State of Alabama, to provide for a day's bag limit on large and small mouth bass, commonly known as trout or green trout, and on bream and perch, to prohibit the sale of bass and bream in the State of Alabama, to prohibit the shipping, transporting, or carrying of bass and bream taken in the fresh public waters of this State to any point beyond the boundaries of the State of Alabama, to provide penalties for violations of the provisions of this Act.

By Mr. Craft:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay North and Eastward of a line drawn from King's Bayou near Alabama Port in Mobile County, Alabama, to the East End of Big Dauphin Island at Fort Gaines in said County, and to prescribe penalties for violations of this Act.

Fish, Game and Forestry.

By Mr. Fite:

S. 41. To Amend Section 855 of the Code of Alabama.

Revision of Laws.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 21. To regulate the answer of garnishments in Justice Courts and Inferior Courts created in lieu of Justice Courts in all Counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 17. To regulate the sessions of the Circuit Court in all Counties in this State having more than 200,000 population according to the last or any succeeding Federal Census.

By Mr. Fite:

S. 22. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

By Mr. Mitchell:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Teasley:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

ADVERSE REPORTS

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an adverse report and it was placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 23. To fix and limit the time a judgment rendered in a court of this State, which is not a court of record, shall be a lien on property of the defendant where a certificate of the judgment is filed for record in the office of the judge of probate of any County in this State, in pursuance of and in conformity with authority conferred by law.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bills, and ordered same returned to the Senate with an adverse report, they were placed on the adverse calendar, to-wit:

By Mr. Edgar:

S. 12. To amend Sections 855 and 872 of the Code of Alabama, and to repeal Section 871 of said Code, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

By Mr. James:

S. B. 5. To amend subdivision 7 of Section 7407 of the Code of Alabama of 1923 relating to divorce and alimony.

RESOLUTION

Mr. Fite offered the following Joint Resolution:

S. J. R. 15. Be it resolved by the Senate, the House concurring, That a joint committee of five, two from the Senate to be appointed by the President, and three from the House to be appointed by the Speaker, be named to arrange a suitable date and plans for a trip to Mobile by the Legislative members, for the purpose of inspecting the Port of Mobile and familiarizing themselves with the development being carried on there.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Goodwyn:

H. J. R. 2. Be it Resolved by the House the Senate Concurring, that the Joint Committee on Inauguration of the Governor be and it is hereby authorized to expend not exceeding the sum of fifteen hundred dollars for the expenses in connection with such inauguration.

And sends same herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. James the Senate concurred in and adopted the House Joint Resolution No. 2, set out in the foregoing message from the House.

Yeas, 31; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Thompson
Caffey	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young
Ellis of Dallas	James	Stanley	—31

Nays:—None.

A MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and ordered same sent forthwith to the Senate without engrossment.

By Mr. Tunstall:

H. 1. To provide for the employment of subordinate employees of the Legislature.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 1. To the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment.

By Mr. Tunstall:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 3, To the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Tunstall:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

And sends same herewith to the senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 2, To the Standing Committee on Finance and Taxation.

A MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and ordered same sent forthwith to the Senate without engrossment. By Mr. Grove:

H. 28. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State "When authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement, of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, of members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all of said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, county and municipal taxation structures and improvements as well as all permanent facilities erected, installed or located, within said boundaries, by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obstruction of any harbor or

seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to require all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements; including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz.: Sections 2427 to 2517, both inclusive.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 28, To the Standing Committee on Seaports.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR

Mr. James gave the Senate the following Notice in writing:

"Notice is hereby given that I will on the next legislative day make motion to take from the Adverse Calendar Senate Bill No. 5, and place it on the favorable Calendar.

W. E. James, Senator,
3rd Ala. Senatorial District".

BILLS RETURNED AND RE-REFERRED

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, returned to the Senate the following Bills, without recommendation, to-wit:

S. 6. To repeal Section 2949 of the Code of Alabama of 1923.

S. 7. To repeal Section 130 of the School Code of Alabama of 1924.

S. 8. To amend Section 92 of the School Code of Alabama of 1924 relating to appointment and dismissal of teachers and assistant teachers.

S. 9. To amend Section 107 of the School Code of Alabama of 1924 relating to school trustees.

S. 11. To repeal Section 144 of the School Code of Alabama of 1924.

And on motion of Mr. Fite, the President and Presiding Officer of the Senate re-referred said Bills to the Standing Committee on Education.

On motion of Mr. Warren, the bill:

S. B. 15: To amend Sections 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040 and 1041 of Chapter 30 of the Code of 1923 relating to the Geological Survey.

Was recalled from the Standing Committee on Revision of Laws and re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

LEAVES OF ABSENCE

On motion of Mr. Ellis of Dallas, leave of absence was granted Messers Walker and Smith for today.

RESOLUTIONS

Mr. Fite offered the following Joint Resolution:

S. J. R. 16. Be it resolved by the Senate, the House concurring, That when the two houses adjourn today, they adjourn to meet at 10 o'clock A. M., on Friday, January 14, and that when the two houses adjourn on January 14, that they adjourn to meet again at 10:00 o'clock A. M., on Monday, January 17, 1927.

Which was, under a suspension of the rules, adopted.

Mr. Craft offered the following Senate Resolution:

S. R. 17: Whereas, The State of Alabama has had the pleasure of the faithful and untiring service of Lieutenant-Governor Charles S. McDowell, Jr.; and,

Whereas, his courtesy and impartial rulings to each member of the Senate has been a source of great pleasure to the members of this Senate in the discharge of their duties:

Therefore: Be it Resolved, That in parting from this distinguished son of Alabama, we wish for him and his family health, happiness and contentment.

Be it further resolved, we wish for him in his business and professional life prosperity and the successful achievements in his endeavors.

Which was, under a suspension of the rules, adopted.

BILLS ON THIRD READING

The Bill:

S. 1. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State "when authorized by appropriate laws

passed by the Legislature, to engage in the work of internal improvement, of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, of members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all of said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State docks area and exempting from State, county and municipal taxation structures and improvements as well as all permanent facilities erected, installed or located, within said boundaries by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obstruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to require all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements; including among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly

repealing the following sections of the Code of 1923, viz.: Sections 2427 to 2517, both inclusive.

Was taken up.

The Standing Committee on Seaports offered the following amendment to said bill, to-wit:

Amend the title of the bill by inserting after the word: "Senate" in line 19 of the title of the bill, the following:

"and/or the Governor".

Amend Section 2 by inserting after the word: "elected" where it appears in line 16 thereof, the following:

Provided further, that in the event the Senate is not in session at the time of said election, such election shall be subject to temporary confirmation by the Governor, effective until such time as the Senate shall convene; whereupon the Senate shall proceed to consider his final confirmation.

Which was adopted.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young

—32

Nays:—None.

Mr. Teasley then moved that the bill and amendment be laid on the table, which motion prevailed and said bill and amendment were laid on the table.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stokes
Bradford	Hines	Mitchell	Teasley
Brown	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Stanley	Young
Fite	Justice		

—30

Nays:—None.

The Bill:

S. 28. To amend Section 1530 of the Code of Alabama of 1923.

Was taken up.

The folowing amendment offered by Standing Committee on Revision of Laws, to-wit:

Amend Senate Bill 28 by adding after the words: "Be it enacted by the Legislature of Alabama", the following:

Section 1. The subordinate employees of the Senate shall consist of a Reading Clerk, to be appointed by the Secretary with the approval of the President Pro Tem of the Senate, a Comparing Clerk, and such assistants to the Secretary of the Senate, assistants to the Engrossing Clerk, assistants to the Enrolling Clerk, Pages, Messengers, Committee Clerks and servants for the Door-keeper in the gallery as may be provided from time to time by the rules of the Senate.

The subordinate employees of the House of Representatives shall consist of a Reading Clerk, and such assistants to the Clerk of the House, assistants to the Engrossing Clerk, assistants to the Enrolling Clerk, Pages, Messengers, Committee Clerks and servants for the Door-keeper in the gallery as may be provided from time to time by the rules of the House.

Section 2. The provisions of this act shall apply to all subordinate employees of the regular session of the Legislature of 1927, beginning January 11, 1927, and all the subsequent sessions of the Legislature of Alabama.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same is hereby repealed.

Was adopted. Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Nolen	Williams
Craft	Jack	Oliver	Young
Edgar	James	Stanley	—27

Nays—None.

And said bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 2.

Yeas:
Messrs:

Bonner	Cowan	Fite	Jones
Bradford	Craft	Holmes	Justice
Brown	Edgar	Jack	Loflin
Carlton	Ellis of Dallas	James	Mitchell

Moore	Stokes	Walton	Williams
Oliver	Teasley	Warren	Young
Stanley			—25

Nays:—Messrs. Ellis of Shelby, and Nolen—2.

BILL INDEFINITELY POSTPONED

On motion of Mr. Fite, the bill:

S. 20. To provide for the employment of subordinate employees of the Legislature.

Was indefinitely post-poned by the Senate.

BILL TEMPORARILY POSTPONED

On motion of Mr. Craft, the bill:

S. 32. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

Was post-poned until the next legislative day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has adopted:

S. J. R. 16. Be it resolved by the Senate, the House concurring, That when the two Houses adjourn today, they adjourn to meet at 10 o'clock a. m., on Friday, January 14th, and that when the two Houses adjourn on January 14, that they adjourn to meet again at 10 o'clock a| m., on Monday, January 17, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Ellis of Dallas the Senate concurred in the following amendment by the House to S. J. R. 16, set out in the foregoing message from the house, to-wit:

Amend S. J. R. 16 by striking out the words and figures.

"10:00 A. M." and insert in lieu thereof "9 A. M." where they appear.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted S. J. R. 15 relative to a Joint Committee being named to arrange date and plans for a trip to Mobile by the Legislature for the purpose of inspecting

the Port of Mobile and familiarizing themselves with development carried on there.

Committee on part of House: Messrs. Grove, Rogers of Mobile and Vickers.

And returns said S. J. R. 15 herewith to the Senate.

J. H. Stewart,
Clerk.

COMMITTEE APPOINTMENT

Under S. J. R. 15, above set out, the President of the Senate appointed as a Committee on part of the Senate, Messers Craft and Fite.

RESOLUTION

Mr. Fite offered the following Senate Resolution:

S. R. 18: Be it Resolved by the Senate, that the members of the Senate are requested to meet in caucas at 9 o'clock A. M., Jan. 14, 1927, for the purpose of considering the Mobile Port Bill in order to expedite the business of the Senate.

Which was, under a suspension of the rules, adopted.

ADJOURNMENT

At 3:20 P. M. on motion of Mr. Nixon, the Senate adjourned until 9 o'clock to-morrow morning.

FOURTH DAY

Friday, January 14th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor McDowell presiding.

PRAYER

By Rev. Jenkins, Door-keeper of the Senate.

ROLL CALL

Present:

Messrs:			
Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Carlton	Hines	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—30

JOURNAL

On motion of Mr. Nolen, the reading of the Journal of yesterday was dispensed with, and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Jones, leave of absence was granted Mr. Coffey for today.

On motion of Mr. Nolen, leave of absence was granted Mr. Holmes for to-day.

On motion of Mr. James, leave of absence was granted Messers Mitchell and Walker for today.

PRIVILEGES OF THE FLOOR

Were extended to Dr. Walter Jones of Tuscaloosa.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Young:

S. 42. To provide who may not accept employment or charge or accept compensation for services in obtaining or assisting in obtaining pardons or paroles; to fix the maximum amount that may be charged or received for services ordered or to be rendered in obtaining or assisting in obtaining pardons or paroles; to designate the place where offenders of this Act may be tried and to prescribe the punishment for violations of this Act.

Judiciary.

By Mr. Fite:

S. 43. To Make Uniform the Law of Sales of Goods.

Judiciary.

Also:

S. 44. To make uniform the law of transfer of shares of stock in Corporations.

Judiciary.

Also:

S. 45. To define Liability for participation in breaches of Fiduciary Obligations and to make uniform the Law with reference thereto.

Judiciary.

Also:

S. 46. To establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all justices of the Peace, in

said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, to define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerks and Officers of said Court, the payment of their salaries and the manner of their appointment and election.

Revision of Laws.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom It May Concern:

Notice is hereby given that the following bill or a bill in substance as follows will be introduced in the Legislature of Alabama at its next regular session which convenes during the month of January, 1927. Said bill is as follows:

A BILL

To be entitled An Act to establish an Inferior Court in Precincts 2 and 33, in Jefferson county, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, to define the jurisdiction and powers of the said court, the judge, clerks and other officers thereof; To define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said judge, clerks and officers of said court, the payment of their salaries and the manner of their appointment and election.

Be it enacted by the Legislature of Alabama,

Section 1. That there is hereby established an Inferior Court in Precincts 2 and 33 in Jefferson County, Alabama; said precincts lying within or partly within the City of Bessemer, Alabama, which shall be known and designated as the Municipal Court of Bessemer, which shall be in lieu of all Justices of the Peace within said precincts, and in lieu of all Inferior Courts heretofore created in lieu of justices of the peace in said precincts. Said court shall be held in a place furnished and designated by the Board of Revenue of Jefferson County as the place for holding same. The said court shall have all the powers and jurisdiction now conferred, or that may hereafter be conferred by law on justices of the peace, and the judge of said court shall have and exercise all the power and authority, perform all the duties now prescribed, or that may hereafter be prescribed by law for Justices of the Peace, and shall have all the power and authority over the matters transacted in said court.

Section 2. The judge of said court shall at the time of his appointment or election be learned in the law, and shall be licensed to practice in the Supreme Court of Alabama, at least twenty-five years of age at the time of his appointment or election, and shall have resided in one of said precincts at least twelve months preceding his election or appointment. Said judge shall reside in one of said precincts during the term of his office, and his removal therefrom shall vacate the office. The judge of said court shall hold his office for a term of six years, and until his successor is elected and qualified. The present judge of the Inferior Court of Bessemer shall become the judge of the Municipal Court of Bessemer until the expiration of the first term of said judge. The first term of said judge shall end January

1st, 1933. At the regular election for State and County officers in 1932, and each six years thereafter, there shall be elected a judge of said court by the qualified electors of said precincts. All vacancies in the office of judge of said court shall be filled by appointment of the Governor.

Section 3. That the judge of said court shall receive an annual salary of forty-eight hundred ($4800) dollars, payable in equal monthly installments out of the county treasury of Jefferson County upon his warrant drawn upon the county treasurer of said county.

Section 4. That the judge of said court shall appoint a clerk who shall give bond in the penal sum of five thousand dollars, payable to the State of Alabama, and conditioned to faithfully discharge the duties of his office, which bond shall be approved by, and filed in the office of the Judge of Probate of Jefferson County, Alabama; also conditioned to pay over all monies to the proper officers and persons to whom it is payable, and to faithfully account for all monies coming into his hands by virtue of his office, and upon the said bond there shall be the same liabilities and remedies as upon a bond of a clerk of the Circuit Court; said clerk shall receive a salary of three thousand ($3,000.00) dollars annually, payable out of the County Treasury of Jefferson County, in equal monthly installments upon his warrant drawn upon the county treasurer of said county, such warrant to be approved by the judge of said court. Said clerk to hold office at the will of the judge, and may be removed from office at the pleasure of such judge.

Section 5. That the clerk of said court shall issue all processes out of said court, except warrants of arrest and writs of commitment which shall be issued by the judge of said court; the clerk shall approve all bonds in all cases; shall keep a docket of said court; shall certify all appeals and certioraries; but all judgments when required to be signed, shall be signed by the judge. The fees and costs now allowed to justices of the peace in said Jefferson County, shall be taxed and collected as now provided by law in such cases, or as may be hereinafter provided by law in such cases, except as hereinafter provided for, and shall by the clerk of said court be paid into the county treasury. The constables of said precincts, and the sheriff of said county, shall be the officers of said court, and shall execute all processes from said court, and make due return thereof; and for their compensation shall receive the same fees as now provided by law for like services in the courts of justices of the peace in Jefferson County, which said fees shall be paid to the constables and sheriff and not into the county treasury. That the judge of said court shall determine what officer or officers shall execute any criminal process issued by said court or the judge thereof.

Section 6. That the judge of said court shall appoint a deputy clerk who shall hold office at the will of the judge, and may be removed from office at the pleasure of said judge. The said deputy clerk shall assist the clerk in the discharge of his duties, and shall be under the direction and supervision of the clerk of said court. Said deputy clerk shall receive a salary of twenty-one hundred ($2100) dollars annually, payable out of the county treasury of Jefferson County in equal monthly installments upon a warrant drawn by such deputy clerk on the county treasurer of said county, and approved by the judge of said court.

Section 7. That the judge of said court may punish for contempt in cases where the Judge of the Circuit Court can punish for contempt by a fine not exceeding fifty dollars, and by imprisonment in the county jail not exceeding five days, one or both. Said judge shall be a conservator of the peace, and shall have the power to sit as committing magistrate in cases now provided by law for justices of the peace in said county, and may take affidavits and issue warrants in felony and misdemeanor cases, returnable before himself when he has final or preliminary jurisdiction of the offense, or in cases where he does not have final or preliminary jurisdic-

tion, to any court having final or preliminary jurisdiction thereof. For his services in taking affidavits and issuing warrants he shall be entitled to the compensation now provided by law to justices of the peace or which may be hereinafter provided by law to justices of the peace, which shall be taxed and collected as such costs are now taxed and collected in criminal cases, which costs so taxed and collected shall be paid into the county treasury.

Section 8. The said court shall have, as against all justices of the peace, notary public ex-officio justices of the peace, and other inferior courts in lieu of justices of the peace in said county, exclusive jurisdiction of all civil cases defined as to amount and kind in section one of this Act, where the defendant or defendants reside in precincts 2 or 33 of Jefferson County, Alabama, except where the cause of action arose in, or the contract sued on was made, in the precinct of the residence of the justice attempting to exercise jurisdiction, or in the precinct or precincts over which the other inferior courts have been established in lieu of justices of the peace; or where one or more of the co-defendants reside in the precinct of said justice of the peace, or notary public ex-officio justice of the peace, or in one of the precincts over which other inferior courts have been established in lieu of justices of peace. Any plaintiff, his agent or attorney, who institutes a suit against a defendant or defendants, who reside in precincts 2 or 33 in Jefferson County, Ala., before any justice of the peace notary public ex-officio justice of the peace, or inferior court created in lieu of justices of the peace other than this court in a precinct other than that in which the cause of the action arose, or the contract was made, or of which the defendant or one or more of the co-defendants is a resident, may be restrained by the judge of this court from prosecuting said suit, and the judge of this court may issue a rule to said plaintiff, his agent or attorney to show cause why a suit, garnishment or other process alleged to have been brought in violation of this section should not be dismissed and may upon a hearing of said rule order the plaintiff, his agent or attorney, to dismiss said suit, garnishment or other process, if wrongfully instituted, and may punish for contempt any disobedience of said order or orders. The plaintiff, his agent or attorney, shall have the right to appeal to the Bessemer Division of the Circuit Court of Jefferson County from said order of dismissal within five days from the rendition of the same, upon execution of a bond in the sum to be fixed by the court, not in excess of two hundred dollars, payable to the defendant and conditioned to pay the defendant all such damages as he may suffer by reason of the wrongful taking of such appeal.

Section 9. That said court shall have jurisdiction in civil cases where the amount involved does not exceed one hundred dollars, except in cases of libel, slander, assault and battery, and ejectment, within precincts 2 and 33, Jefferson County, Alabama.

Section 10. That the owner of any judgment or decree for fifty dollars or over, rendered by this court, may file the same in the office of the Judge of Probate under the same procedure and in the same manner as now provided or which may hereafter be provided for filing judgments of courts of record, which judgments, when so filed and registered, shall be a lien upon all the property of the defendant when registered, which is subject to levy and sale under execution; such lien shall continue for six years from the date of the registration, the registration of the judgment or decree shall be notice to all persons of the existence of a lien.

Section 11. That said court shall always be open; that said court shall have power to set aside, vacate or modify its judgments upon motion made within five days after the rendition of the same; which said motion shall be promptly determined; and the said court may hold court and render default or other judgments at any time between the hours of nine a. m. and five p. m.; all processes of the court where no time is otherwise fixed shall be returnable at nine a. m. on the return day. That it shall be the duty of the

Board of Revenue of Jefferson County, Alabama, at the expense of Jefferson County, to provide suitable rooms to hold said court, and also to provide all necessary dockets, books, and other supplies for the use of said court, and shall provide for the payment of the rent of said court rooms, in case same are rented, and other incidental expenses.

Section 12. That in the absence, disqualification, or inability of the judge of said court, he shall appoint in writing a special judge, who shall have full power to act for and in the place of the regular judge, said person so appointed shall at the time of his appointment be a practicing attorney, residing in one of the beats over which this court has jurisdiction. In case the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, and shall not have appointed a special judge to act, it shall be the duty of the judge of probate, upon the request of the clerk, to appoint some practicing attorney residing in precincts 2 or 33, as special judge, who shall perform all the duties imposed upon the judge of said court, during the illness, disquafification, or inability of said judge. In either case the special judge acting shall receive the same compensation as the regular judge of said court.

Section 13. In case of emergency the judge of said court may appoint a suitable person to act as constable without bond, except as hereinafter provided; and the person so appointed must perform the same duties and is liable to the same pains and penalties, and is enittled to the same fee and compensation as regular constables; but such special constable is not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collecting of executions, attachments or writs of detinue, he execute a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law, with sureties to be approved by the judge appointing such special constable.

Section 14. The summons must be issued by the clerk of the court, and accompanied by the complaint of the plaintiff, or the cause of action endorsed on the summons, setting forth the cause of action. The summons must be executed by the constable, special constable, sheriff, or other officer by leaving a copy of the summons and complaint, or summons with the cause of action endorsed thereon with the defendant, which fact must be returned with the process.

Section 15. It shall be the duty of the clerk of said court to issue an execution on all judgments rendered in said court after five days from the entry thereof, and place the same in the hands of the constable or sheriff who shall return said process within thirty days thereafter, said return to show that he has collected said judgment, and has paid the same or the amount collected, or is unable to find property of the person against whom said process issued, out of which said execution can be satisfied in whole or in part. Provided however, that when a writ of garnishment has been issued on a judgment rendered by said court it shall not be necessary for the clerk to issue an execution thereon, but such writ of garnishment shall have the same effect as if an execution had been issued and said judgment shall remain in effect and process issue on said judgment in the same manner as if the said execution had been issued.

Section 16. That if it shall appear to the auditor that in any case in said court where an execution has been returned unsatisfied, as to the costs of said cause, and in the opinion of the auditor said costs can be collected by an alias execution, the auditor may direct the clerk, to issue such alias execution, and may direct the constable or sheriff as to what property can be levied upon to satisfy said judgment.

Section 17. That in each cause filed in said court there shal be a fee of fifty cents taxed which shall be taxed and collected as other costs are collected, and shall be with other costs paid into the county treasury.

Section 18. That on the passage and approval of this act all offices of justice of the peace and notary public ex-officio justice of the peace in precincts 2 and 33 of Jefferson County are abolished, and after the passage and approval of this act no other justice of the peace or notary public ex-officio justice of the peace shall be elected or appointed in said precincts 2 or 33 of said Jefferson County, however, the justices of the peace and notary public ex-officio justices of the peace holding office in said precincts 2 and 33 of said county shall continue to hold their office and exercise the duties thereof until the appointment of a judge of this court and until he becomes qualified by taking the oath prescribed. And it shall be the duty of all justices of the peace and notary public ex-officio justices of the peace in said precincts holding office and exercising the powers of justices of the peace to immediately upon the passage and approval of this act, and upon the qualification and appointment of a judge for said court to deliver to the judge of said court, or to the clerk thereof, all books, papers and unfinished business and every kflind of property belonging to their offices as such justices of the peace or notary public ex-officio justices of the peace, under the laws provided for transfer of papers from an out-going justice of the peace, to his successor in office.

Section 19. That all causes pending in the inferior or other courts repealed or abolished by this act, together with all the papers and judgments of said courts, shall be transferred to this court as if they had begun therein, and all judgments heretofore rendered in said courts shall be the same as if they had been rendered by this court and this court shall have the same power and control over said judgments and may issue execution or other process thereon the same as if said judgment had been originally rendered by this court.

Section 20. That this court shall have exclusive and final jurisdiction concurrently wth the Circuit Courts of this county in all misdemeanor cases, except for violations of the prohibition laws, arising in Jefferson County.

Section 21. That the court hereby created shall have and exercise concurrent jurisdiction with justices of the peace of the county as to all civil cases over which such justices have or may have as provided by law.

Section 22. Upon the conviction of any defendant in misdemeanor cases in said court, the court shall have the right to suspend the sentence whenever in the discretion of said court the same may be advisable.

Section 23. The judge of said court may designate in writing by general order, which shall continue until revoked by a general order of said judge, the clerk or deputy clerk as ex-officio judge of said court, and the said ex-officio judge so designated shall have the power and authority to take affidavits and issue warrants of arrest that the judge of said court could issue, but such ex-officio judge shall not try cases.

Section 24. That in addition to the power and jurisdiction herein conferred upon said court, it shall have and is hereby given the authority and jurisdiction to sentence to perform hard labor for the county of Jefferson for the payment of fine and costs in the same manner and to the same extent as the Circuit Courts of this state have authority and jurisdiction to do.

Section 25. If the defeandant fails to appear as required by his bond said court shall enter a forfeiture against him and his sureties, and said court shall have the authority to issue and shall cause to issue sci. fa's to the bondsmen. which shall be returnable in not less than thirty days from the issuance date. and upon a final hearing said court shall have the authority to pass upon the forfeiture or to make the same final, or take such other action as the Circuit Court of said county may be authorized to take in case of appearance bonds in said Circuit Court. Said judge shall issue an alias warrant for the arrest of the defendant.

Section 26. That there shall be taxed as part of the costs in each misdemeanor case tried in said court a trial tax of three dollars and a solicitor's fee of five dollars which shall be in addition to the other costs herein provided for, which shall be collected as the other costs are collected, and paid into the county treasury.

Section 27. That in the trial of cases before the court, the accused shall have no right to demand a trial by jury, but the judge shall determine both the law and the facts, without the intervention of a jury, and shall award such punishment in misdemeanor cases as the character of the offense may demand, and render such judgment in other cases as in his judgment may seem right and proper, and in the trial of misdemeanor cases no statement of the offense need be made other than that contained in the affidavit and warrant of arrest.

Section 28. That appeals from judgments rendered in said court in cases over which this court has final jurisdiction may be taken by the defendant in misdemeanor cases and by either the plaintiff or defendant in civil cases to the Bessemer Division of the Circuit Court of Jefferson County, Alabama, within five days after the rendition of said judgment, and in the manner as is provided by law for appeals to be taken from Justice of Peace courts of this state to Circuit Court of this state, and a jury may be had on demand of the defendant in misdemeanor cases, and on demand of either party in civil cases, as provided by law, and all appeals taken as herein provided for, shall be tried de novo and be preferred cases in said Circuit Court and shall be governed in all respects by the rules and regulations provided by law for the trial of appeals in the Circuit Courts from Justic of Peace Courts of this State, in so far as the same may be applicable.

Section 29. That the judge of said court has the power and authority to require the sheriff of said county, or one of his deputies to attend upon the sessions of said court.

Section 30. That the judgment in case of conviction in cases tried by said court may be in substantially the following form: The State against A. B. (here state the offense charged by name). On hearing the evidence the court is satsified of the guilt of the defendant and awards the following punishment (here state the punishment) and the costs of the proceedings ..... Judge of Municipal Court of Bessemer. If the defendant is acquitted the judgment must be that the defendant is discharged. In preliminary hearings in felony cases the judgment must conform as nearly as practicable to judgments in such cases in Justice Courts of this State.

Section 31. If the defendant fails to appear as required by his bond and a forfeiture is taken on said bond, said forfeiture may be in the following form: State of Alabama vs. A. B., deefndant, CD and EF, his sureties. In the Municipal Court of Bessemer.....day of.....19..... In this cause AB failing to appear and answer the charge against him (here set out the offense) a judgment is rendered against him and his said sureties, to-wit: ..... for ..... dollars. (The amount of the penalty of the bond) in favor of the State of Alabama, for the use of Jefferson County, unless they appear on..... (here set the date) and show cause to the contrary; and it is ordered that notice issue to them.

Section 32. That any prosecution in said court, if it appears to the court that such prosecution is frivolous or maliciou, the court shall after hearing the facts, render summary judgment and tax the prosecutor or the person who made the complaint or affidavit with the costs, and when the costs are imposed on the prosecutor or person who made the complaint or affidavit he may confess judgment for the same with good and sufficient sureties, and failing to do so or presently pay the same, such person must be imprisoned in the county jail or sentenced to hard labor for Jefferson

County for the payment of the same for such a term as may be required to pay the same not to exceed ten days.

Section 33. That an act entitled an Act To establish an Inferior Court in precincts 2 and 33 in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all justices of the peace in said precincts, and to define the jurisdiction and power of the said court, and of the judge, clerk and other officers thereof, and to provide for a place for holding the same. Approved August 27th, 1915 and published in the Local Acts of Alabama, Session 1915, page 134, et seq. and all amendments thereto, be and the same are hereby repealed.

Section 34. That an act entitled An Act to create and establish an Inferior Court of Criminal and civil jurisdiction for that part of Jefferson County, Alabama, including within precincts 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40, 41, 49, 51, 53 and 55, as now constituted; to define the jurisdiction and powers of said court, the judge, clerk, and other officers thereof; to provide for a place for holding said court, terms and salaries of said judge and officers of said court and otherwise to provide for said court, approved August 2nd, 1923, and published in the Local Acts of Alabama, Session 1923, page 43, et seq. be and the same is hereby repealed.

Section 35. That the provisions of this act shall not take away any jurisdiction or power from any Inferior Civil Court or Inferior Criminal Court established in a place other than in the City of Bessemer, Alabama, or that may be hereafter established in a place other than in the City of Bessemer, Alabama, neither shall the provisions of this act take away any jurisdiction or power from the Domestic Relations Courts or Juvenile Courts of this county. Provided further, that in no event shall the territorial jurisdiction of the court hereby created extend over or be construed to include territory beyond that that is or may hereafter be included in the territorial jurisdiction of the Circuit Court of Jefferson County, Alabama, sitting at Bessemer, in said County.

Section 36. That all laws, general, special or local in conflict with this act be and the same are hereby repealed.

Section 37. That this act shall take effect upon its due passage and approval.

Section 38. That if any section, clause or provision of this act shall be held to be unconstitutional and void or ineffective, it shall in no wise affect any other section, clause or provision not unconstitutional and void or ineffective in itself.

Fred Ross.

STATE OF ALABAMA,
Jefferson County .

Before me, the undersigned notary public in and for said County in said State, personally appeared Howe Price, who being by me duly sworn, deposes and says that he is the Business Manager of the Bessemer Advertiser and that the attached notice was published in the Bessmer Advertiser, a weekly newspaper of general circulation published at Bessemer, Jefferson County, Alabama, for four consecutive weeks, that is, on December 23rd, 1926, December 30th, 1926, January 6th, 1927, and January 13th, 1927, and that said notice was published without cost to the State.

Howe Price.

Sworn to and subscribed before me this 13th day of January 1927.

L. L. Lockwood,
Notary Public.

(Seal)

By Mr. Fite:

S. 47. To make uniform the Law of Bills of Lading.

Judiciary.

REPORT OF COMMITTEES

Mr. Warren, Chairman of the Standing Committee on Seaports reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grove:

H. 28. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State "when authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, and/or the Governor, of members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, County and municipal taxation structures and improvements as well as all permanent facilities erected, installed, or located, within said boundaries, by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obtruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said

agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to reuqire all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements, including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz.; Sections 2427 to 2517, both inclusive.

Said bill was read a second time at length as required by the Constitution.

Mr. Holmes, Chairman of the Standing Committee on Fish, Game and Forestry reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay north and eastward of a line drawn from King's Bayou near Alabama port in Mobile County, Alabama, to the east end of Big Dauphin Island, at Fort Gaines in said County, and to prescribe penalties for violation of this Act.

Mr. James, Chairman of the Standing Committee on Military reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stanley:

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

By Mr. Stanley:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tunstall:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

By Mr. Tunstall:

H. 3. To create the office of Alabama-Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

CONTINUATION OF MOTION TO TAKE FROM ADVERSE CALENDAR

Mr. James, who on yesterday gave notice that he would, on the next legislative day, make motion to take from the Adverse Calendar, the bill:

S. 5. To amend subdivision 7 of Section 7407 of the Code of Alabama of 1923 relating to divorce and alimony.

Moves that said motion be continued until the next legislative day after Monday, which motion prevailed and said motion was continued until the next legislative day after Monday.

BILLS TEMPORARILY POSTPONED.

On motion of Mr. Craft, the bill:

S. 32. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

Was postponed until the next legislative day.

On motion of Mr. Ellis of Dallas, the bill:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

Was postponed until the next legislative day.

On motion of Mr. Fite, the bill:

S. 17. To regulate the sessions of the circuit court in all counties in this State having more than 200,000 population according to the last or any succeeding Federal Census.

Also:

S. 22. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Also:

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all

counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

Were postponed until the next legislative day.

On motion of Mr. Teasley, the bill:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

Was postponed until the next legislative day.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the Third and Fourth legislative days, and finds same correct and containing all ogirinal entries and references thereto required by the Const'tution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journals of the Senate for the Third and Fourth, legislative days were approved by the Senate.

ADJOURNMENT

At 11 o'clock A. M., on motion of Mr. Fite, the Senate adjourned until 9 o'clock Monday morning.

FIFTH DAY

Monday, January 17th, 1927.

The Senate met pursuant to adjournment, President Protempore Brown presiding.

PRAYER.

By Rev. Jenkins, Door-keeper of the Senate.

ROLL CALL.

Present:

Messrs:			
Bonner	Fite	Justice	Stanley
Bradford	Hall	Loflin	Stokes
Brown	Hines	Mitchell	Teasley
Caffey	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Smith	Young
Ellis of Shelby			

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JOURNAL

On motion of Mr. Warren, the redaing of the Journal of yesterday was dispsensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. James, leave of absence was granted Mr. Ellis of Dallas, for today.

On motion of Mr. Craft, he was granted leave of absence for the next three days.

PRIVILEGES OF THE FLOOR

On motion of Mr. Thompson, the privileges of the floor were extended to Judge John B. Tally and Judge J. B. Hackworth, of Scottsboro.

On motion of Mr. Brown, the privileges of the floor were granted to Hon. B. B. Cather, of Ashland.

RESOLUTION

Mr. Stokes offered the following Senate Resolution:

S. R. 19: Resolved by the Senate, That the Door-keeper be requested to secure at once from the Secretary of State and provide each member of the Senate with a copy of the 1919 Acts of the Legislature.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

In accordance with the provisions of Section 9, Article 3, State Board of Education—as contained in the School Code of Alabama, 1924, vacancies occuring in the offices of members of the State Board of Education shall be filled by appointment of the Governor, by and with the consent of the Senate:

I, therefore, report to you herewith the appointment of the following members of the State Board of Education:

D. T. McCall, Mobile, Alabama, term ending Sept. 30, 1935, for the First District.

W. L. Lee, Dothan, Alabama, term ending Sept. 30, 1935, for the Third District.

R. H. Powell, Tuskegee, Alabama, term ending Sept. 30, 1935 for the Fifth District.

Cadwallader Erwin, Greensboro, Alabama, term ending Sept. 30, 1927, for the Sixth District.

J. C. Inzer, Gadsden, Alabama, term ending Sept. 30, 1931, for the Seventh District.

L. Sevier, Birmingham, Alabama, term ending Sept. 30, 1935. for the Ninth District.

I submit these appointments for your consideration and confirmation.

Respectfully,

January 12, 1927. Wm. W. Brandon,
Governor.

GOVERNOR'S MESSAGE

Mr. James moved that the foregoing message from His Excellency, the Governor, be referred to the Standing Committee on Education.

Mr. Bonner moved that the motion of Mr. James be laid upon the table, which motion was lost.

Yeas, 11; Nays, 17.

Yeas:				
Messrs:				
Bonner	Hines	Justice	Oliver	
Carlton	Jack	Moore	Stanley	
Hall	Jackson	Nixon		—11
Nays:				
Messrs:				
Bradford	Ellis of Shelby	Nolen	Walton	
Brown	James	Stokes	Warren	
Caffey	Jones	Teasley	Williams	
Craft	Mitchell	Thompson	Young	
Edgar				—17

And the motion of Mr. James then prevailed and said message was referred to the Standing Committee on Education.

BILLS ON THIRD READING

The Bill:

H. 28. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State "when authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, and/or the Governor, of members of the State Docks Commission, including the participation by

the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of all said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, County and municipal taxation structures and improvements as well as all permanent facilities erected, installed, or located, within said boundaries, by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obtruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of this Act, to require all persons and corporations rendering like services or furnishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements, including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz.; Sections 2427 to 2517, both inclusive.

Was taken up.

Mr. Ellis of Shelby, offered the following amendment to said bill, to-wit:

Amend Section 7 by striking therefrom the following paragraph, viz:

All leases of real estate within the boundaries of the approved plan or within the boundaries of any amendment or extension thereof, for port or harbor improvement in and by the State of Alabama, acting by and through its agency, the State Docks Commission, and also all structures and all improvements and all other permanent facilities erected, installed or located, by lessees, or their successor or assigns, within the boundaries aforesaid, shall be free and exempt from all State, County and municipal taxation for such period as may be stipulated in the lease or

in any renewal thereof, but no longer than the term of the lease and or its renewal.

Mr. Teasley moved that said amendment be laid upon the table, which motion prevailed, and said amendment was laid upon the table.

Yeas, 20; Nays, 9.

Yeas:
Messrs:

Bradford	Edgar	James	Stokes
Brown	Hines	Jones	Teasley
Caffey	Holmes	Mitchell	Walton
Cowan	Jack	Moore	Warren
Craft	Jackson	Stanley	Williams

—20

Nays:
Messrs:

Bonner	Justice	Nolen	Thompson
Carlton	Nixon	Oliver	Young
Hall			

—9

PAIR ANNOUNCED

Mr. Ellis of Shelby announced that he and Mr. Ellis of Dallas were paired on this vote; and that Mr. Ellis of Dallas, if present, would vote yea, and he, Mr. Ellis of Shelby, would vote no.

Mr. Ellis of Shelby, also offered the following amendment to said bill, to-wit:

Amend Section 7 by striking therefrom the following words where they last occur together therein, viz:

"for such period as may be stipulated in the lease or in any renewal thereof, but no longer than the term of the lease and of its renewal."

And substitute in lieu thereof the folowing words, viz:

"for not exceeding five years."

Mr. Craft moved that the amendment offered by Mr. Ellis of Shelby, be laid upon the table, which motion prevailed and said amendment was tabled.

Yeas, 20; Nays, 9.

Yeas:
Messrs:

Bradford	Hines	Jones	Teasley
Brown	Holmes	Mitchell	Thompson
Caffey	Jack	Moore	Walton
Cowan	Jackson	Stanley	Warren
Craft	James	Stokes	Williams

—20

Nays:
Messrs:

Bonner	Hall	Nixon	Oliver
Carlton	Justice	Nolen	Young
Edgar			

—9

PAIR ANNOUNCED

Mr. Ellis of Shelby, announced that he and Mr. Ellis of Dallas, were paired on this vote; that Mr. Ellis of Dallas, if present would vote Yea and he, Mr. Ellis of Shelby, would vote Nay.

Said bill was then read a third time at length and passed.

Yeas, 25; Nays, 4.

Yeas:
Messrs:

Bonner	Hall	Jones	Teasley
Bradford	Hines	Mitchell	Thompson
Brown	Holmes	Moore	Walton
Caffey	Jack	Oliver	Warren
Cowan	Jackson	Stanley	Williams
Craft	James	Stokes	Young
Edgar			

—25

Nays:
Messrs:

Carlton	Justice	Nixon	Nolen

—4

PAIR ANNOUNCED

Mr. Ellis of Shelby, announced that he and Mr. Ellis of Dallas, were paired on this vote; that Mr. Ellis of Dallas, if present, would vote yea, and he, Mr. Ellis of Shelby, would vote nay.

PROTEST

Mr. Bonner offered the following protest to said bill, to-wit:

"While I am voting for House Bill No. 28, I protest against that part of said bill which provides certain exemptions from taxation on following grounds, namely:

I am convinced that the people of Alabama are opposed to the policy of exempting capital from taxation and believe this Legislature should register the will of the State.

Alabama once before adopted the policy of exempting capital from taxation for a period of ten years, and a subsequent Legislature repealed the law providing such exemption before it had enjoyed exemption for such ten year period. The painful history of that transaction persuades me that it is now a mistake to begin again a policy of exempting capital from taxation.

SPECIAL ORDER SET

On motion of Mr. Craft, the bill:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and prescribe his powers and duties.

Was made a Special Order for the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed S. 28. To amend Section 1530 of the Code of Alabama of 1923.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teasley, the Senate concurred in the following Amendment by the House to Senate Bill No. 28, the title of which is set out in the foregoing message from the House; said amendment being as follows, to-wit:

Substitute for S. 28. A bill to be entitled An Act to amend Section 1530 of the Code of Alabama of 1923.

Be it enacted by the Legislature of Alabama:

That Section 1530 of the Code of Alabama of 1923 be amended so as to read as follows:

Section 1530. (923) (2236) (53) (52). Subordinate employees of the Legislature.

Section 1. The subordinate employees of the Senate shall consist of a Reading Clerk, to be appointed by the Secretary with the approval of the President Pro-Tem of the Senate, a comparing clerk, and such assistants to the Secretary of the Senate, assistants to the Engrossing Clerk, assistants to the Enrolling Clerk, Pages, Messengers, Committee Clerks and servants for the doorkeeper in the Gallery as may be provided from time to time by the Rules of the Senate.

The subordinate employees of the House shall consist of a Reading Clerk, and such assistants to the Clerk of the House, assistants to the Engrossing Clerk, assistants to the Enrolling Clerk, pages, messengers, committee clerks and servants for the doorkeeper in the gallery as may be provided from time to time by the Rules of the House.

Section 2. The provisions of this act shall apply to all subordinate employees of the regular session of the Legislature of 1927, beginning January 11th, 1927, and all the subsequent ses-

sion of the Legislature of Alabama. Provided, however, that clerks already appointed and performing their respective duties shall be entitled to compensation to and from January 11th, 1927.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Hines	Mitchell	Teasley
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walton
Carlton	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Stanley	Young

—28

Nays:—None.

OATH OF OFFICE

Mr. Williams moved that a Committee of three be appointed to escort Lieutenant Governor Davis and Chief Justice Anderson to the Chair for the purpose of administering the oath of office to Lieutenant Governor Davis, which motion prevailed, and the President Pro-tempore appointed as a Committee Messers. Williams, Stanley and Ellis of Shelby.

Thereupon, Lieutenant Governor Davis and Chief Justice Anderson were escorted to the Chair and the oath of office was administered to Lieutenant Governor Davis by Justice Anderson, as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will honestly and faithfully discharge the duties of the office upon which I am about to enter, to the best of my ability. So help me, God."

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bill with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 28. To amend Section 1530 of the Code of Alabama of 1923.

H. M. Caffey,
Chairman.

SIGNING OF BILL

The President Pro-tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested:

By Mr. Goodwyn:

H. J. R. 2. Relative to the Joint Committee on Inauguration of the Governor authorizing the expenditure of fifteen hundred dollars ($1500) for the expenses of the Inauguration.

J. H. Stewart,
Clerk.

SIGNING OF JOINT RESOLUTION

The President Pro-tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Joint Resolution, the title to which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bill, your signature thereto is requested:

By Mr. Grove:

H. 28. To give effect to the amendment to Section 93 of the Constitution of Alabama adopted at the November election, 1922, enabling the State "when authorized by appropriate laws passed by the Legislature, to engage in the work of internal improvement, of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its jurisdiction at a cost not exceeding ten million dollars"; continuing the authority granted the State of Alabama in Chapter 44, Article 4, of the Code of 1923, to engage in the work of internal improvement of promoting, developing, constructing, maintaining and operating all harbors or seaports within the State or its

jurisdiction, including all kinds of terminal facilities at seaports, and therein and thereafter to borrow money through the issue and sale of its bonds, or otherwise therefor, but not to exceed in the aggregate ten million dollars; to prescribe the powers and authority of the State in respect to said development; continuing an agency of the State known as the State Docks Commission, preserving the terms of office of the existing members of the State Docks Commission, providing for the election, subject to confirmation by the Senate, of Members of the State Docks Commission, including the participation by the Governor in the election of members of the Commission under certain circumstances provided; to provide for the management and control of said operations by said agency; to prescribe and define the powers, duties and jurisdiction of such agency, including, among other things, the leasing of real estate within the boundaries of the State Docks area and exempting from State, County and municipal taxation structures and improvements as well as all permanent facilities erected, installed or located, within said boundaries, by lessees, their successors or assigns, for the period stipulated in such leases, and including the exercise of the power of eminent domain, and, among other things, to make rules and regulations concerning the licensing and disciplining of pilots, fixing pilotage fees, promulgating rules and regulations for the operation and maintenance of any seaport or harbor within the State, preventing and penalizing obstruction of any harbor or seaport, providing suitable penalties for the violation of any rule or regulation established by said Commission under the authority of this Act; to confer upon said agency the power and authority to fix reasonable charges for services rendered pursuant to this Act by the State, or under its authority, and for the use of its facilities acquired or constructed under authority of his Act, to require all persons and corporations rendering like services or funishing similar facilities, to make charges therefor at least as great as the reasonable charges fixed by such agency; to establish harbor lines and to grant licenses to riparian owners to erect aids to navigation; to regulate generally the acquisition, construction, development and operation by the State of harbor improvements; including, among other things, all kinds of terminal facilities at seaports; to repeal all laws in conflict with this Act, and expressly repealing the following sections of the Code of 1923, viz: Sections 2427 to 2517, both inclusive.

J. H. Stewart,
Clerk.

SIGNING OF BILL.

The President Pro-tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dis-

pensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing message from the House.

COMMITTEE OF ONE TO CONFER WITH HOUSE

Mr. Teasley moved that a Committee of one be appointed to confer with the House and ascertain if it had any further messages for the Senate before adjournment, which motion prevailed and the President and Presiding officer of the Senate appointed on said Committee, Mr. Teasley.

Thereupon, Mr. Teasley returned and reported that the House had no further messages for the Senate.

ADJOURNMENT

At 10:30 A. M., on motion of Mr. Teasley, the Senate adjourned until 11 o'clock to-morrow morning.

SIXTH DAY

Tuesday, January 18, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER.

By Dr. O. P. Speigel, of Montgomery.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Smith	Young

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JOURNAL.

On motion of Mr. Fite, the reading of the Journal of yesterday was dispensed with, and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. James, leave of absence was granted Messers. Ellis of Dallas and Walker for to-day.

On motion of Mr. Fite, leave of absence was granted Mr. Jackson for to-day.

PRIVILEGES OF THE FLOOR

On motion of Mr. Hines, privileges of the floor were extended to Judge John T. Heflin, of Roanoke, for to-day.

On motion of Mr. Cowan, the privileges of the floor were extended to Mrs. Watt T. Brown, wife of the Senator from St. Clair for to-day.

On motion of Mr. James, the privileges of the floor were extended to Mrs. Mitchell, wife of the Senator from Lauderdale, for today.

On motion of Mr. Thompson, the privileges of the floor were extended to Judge Hackworth and Hon. D. P. Wimberly, of Scottsboro, for to-day.

On motion of Mr. Jones, the privileges of the floor were extended to Hon. Lawrence Cooper and James H. Pride, of Huntsville, for to-day.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Warren:

S. 48. To provide for the government, control and regulations, by Civil Service of the Fire Departments in all Cities of the State of Alabama having a population of more than ten thousand and less than thirty-five thousand according to the last decennial Federal Census; and to provide for civil service commissions for such cities and fixing their duties, authority and powers; and to fix punishment for violations of the Act.

Municipalities and Municipal Organizations.

Also:

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that at the next regular session of the Legislature of Alabama, in 1927, application will be made to the Legislature to pass an Act, in substance, as follows:

AN ACT

To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

Be it Enacted by the Legislature of Alabama:

Section 1: That from and after the passage of this Act, the official court reporter of the Sixth Judicial Circuit of Alabama, shall receive a salary of Twenty-Seven Hundred ($2700.00) dollars, per annum, payable as provided by law for the payment of court reporters.

Section 2: In addition to the duties now required by law of court reporters, the official court reporter of the Sixth Judicial Circuit, when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Court of Tuscaloosa County, Alabama, all habeas corpus proceedings, and all preliminary hearings in felony cases before a committing magistrate in said County.

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STATE OF ALABAMA,
Tuscaloosa County.

Before the undersigned authority, personally appeared Aaron Miller, who being duly sworn on oath says, that he is the publisher of The Tuscaloosa News, a daily newspaper published at Tuscaloosa, Tuscaloosa County, Alabama, and that the attached notice was published four (4) times, once each week in said Tuscaloosa News, on the following dates, November 30th, December 7th, December 14th, and December 21, 1926.

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Aaron Miller.

Sworn to and subscribed before me, this the 27 day of December, 1926.

R. Connell,

Notary Public and Ex-Officio Justice of the Peace.

By Mr. Fite:

S. 50. To regulate the operation of vehicles on highways; to provide for traffic signs and signals; to define the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the privisions of this Act; to provide for the enforcement of this Act and the disposition of fines and forfeitures collected hereunder; and to make uniform the law relating to the subject matter of this Act.

Public Roads and Highways.

Also:

S. 51. To require and regulate the licensing of motor vehicle operators and chauffeurs; to provide for the examination of applicants for such license; to provide what persons may obtain such licenses and the manner of obtaining same; to constitute a member of the State Highway Commission Vehicle Commissioner; to authorize and empower the State Highway Commission to administer this Act; to provide for the suspension and revocation of licenses of operators and chauffeurs; to provide penalties for violations of this Act; and to make uniform the laws relating to this subject.

Public Roads and Highways.

Also:

S. 52. To amend Sections 1754, 1757 and 1760 of the Code of Alabama.

Revision of Laws.

Also:

S. 53. To extend the term of all elective officers of all municipalities in the State of Alabama, governed by the Aldermanic form of Government.

Revision of Laws.

By Mr. Fite:

S. 54. Providing for the regulation, supervision, and control of persons, firms, corporations, and associations owning, controlling, operating, or managing motor vehicles used in the business of transporting persons or property for compensation on the improved public highways of the State which are or may hereafter be declared to be parts of the State Highway System, or any of the county highways, and prescribing and imposing license fees and providing for the disposition of the revenue raised by the same.

Judiciary.

Also:

S. 55. To provide for the appointment of an additional assistant solicitor to be known as the second assistant solicitor for each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of said office, to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

Judiciary.

Also:

S. 56. Relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto.

Judiciary.

Also:

S. 57. To extend the corporate existence of all corporations incorporated under the laws of the State of Alabama, and now carrying on business as a corporation where the De Jure corporate existence has heretofore terminated, and to validate all acts within the charter powers of such respective corporations, and to extend the corporate existence of all such corporations where the De Jure corporate existence of the corporation will terminate within ten years from the date of the approval of this act.

Corporations.

Also:

S. 58. To approve, ratify and confirm all conveyance, contracts and transactions executed by any corporation incorporated under the general laws of the State of Alabama in carrying on its business as a De Facto corporation within the corporate powers conferred by its charter subsequent to the expiration of its De Jure Corporate existence.

Corporations.

Also:

S. 59. To protcet a bona fide purchaser for value of land, or interest in land against the lien of a judgment or decree rendered in any court, a certificate of which has been filed in the probate office of any county in this State, in pursuance of law, when the given name and/or initials and/or surname of the judgment debtor as shown by the certificate filed, is not identical with the given name, and/or initials, or surname of the judgment debtor as shown by recorded conveyance, or will, where the judgment debtor acquired the land or interest in land by conveyance, or will, or where the name of the judgment debtor as shown by the certificate is not identical with the name by which the judgment debtor is commonly known, where the judgment debtor acquired the land, or interest in land by inheritance.

Judiciary.

Also:

S. 60. To provide for the Creation of a Commission on Uniform State Laws, the appointment of Commissioners Thereto, and an annual Contribution to the Support of the National Conference of Commissioners on Uniform State Laws.

Judiciary.

By Mr. Holmes:

S. 61. To have the State of Alabama purchase from the United States Government, Fort Morgan, which is being abandoned as a fortress, and the same to be used as a recreational center and playground for the people of Alabama.

Finance and Taxation.

Also:

S. 62. To protect and preserve the diamond backed terrapin and to impose the penalties for violations of the provisions of this Act.

Fish, Game and Forestry.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following Joint Resolution.

By Mr. Tunstall:

H. J. R. 5. Resolved by the House, the Senate concurring, that a joint Committee of three from the House, to be appointed by the Speaker of the House, and two from the Senate, to be appointed by the Presiding officer of the Senate, be appointed to wait upon the Governor and ascertain if he has any communications for the Legislature.

And the Speaker of the House named as a Committee on the part of the House Messrs: Ware, McAdory and Weldon.

And said resolution is herewith sent to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the Senate concurred in and adopted House Joint Resolution No. 5, set out in the foregoing message from the House, and the President of the Senate appointed as a Committee on part of the Senate, Messers Cowan and Stanley.

CONSIDERATION OF SPECIAL ORDER

Mr. Craft moved for unanimous consent to call up and consider the Special Order for to-day, which motion prevailed, and the bill:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and prescribe his powers and duties.

Was taken up.

Mr. Fite moved that consideration of said bill be postponed until the next legislative day.

Mr. Craft moved that the motion of Mr. Fite be laid upon the table, which motion was lost.

Yeas, 14; Nays, 17.

Yeas:				
Messrs:				
Bonner	Edgar	Jack	Oliver	
Brown	Ellis of Shelby	James	Stanley	
Cowan	Hines	Moore	Walton	
Craft	Holmes			—14
Nays:				
Messrs:				
Bradford	Jones	Nolen	Thompson	
Caffey	Justice	Smith	Warren	
Carlton	Mitchell	Stokes	Williams	
Fite	Nixon	Teasley	Young	
Hall				—17

And on motion of Mr. Fite to postpone until the next legislative day then prevailed, and further consideration of said bill was postponed until the next legislative day.

RESOLUTION

Mr. Williams offered the following Senate Resolution:

S. R. 20. Be it Resolved by the Senate, That the Subordinate officers and employees of the Senate shall consist of a Secretary,

an Assistant Secretary, a Second Assistant Secretary, a Reading Clerk, a Chief Clerk to the Secretary, an Enrolling Clerk, an Engrossing Clerk, a Comparing Clerk, a Door-keeper, an Assistant Door-keeper, a Door-keeper of the Senate Gallery, Four Pages, Two Messengers, and Two Servants; Assistants to the Secretary not exceeding 24 in number, to be appointed by the Secretary; Assistants to the Enrolling Clerk not exceeding 10 in number, 4 of whom shall be appointed by the Enrolling Clerk and 6 of whom shall be appointed by the Secretary; Assistants to the Engrossing Clerk not exceeding 10 in number, 4 of whom shall be appointed by the Engrossing Clerk and 6 of whom shall be appinted by the Secretary. One Clerk each for the Lieutenant-Governor and the Chairman of each Standing Committee of the Senate, to be appointed by such Chairman.

Be it further resolved, That the Secretary of the Senate and the Assistant Secretary of the Senate shall each receive Ten Dollars per day; the Second Assistant Secretary, the Reading Clerk and the Chief Clerk to the Secretary shall each receive Eight Dollars per day; the Enrolling Clerk and Engrossing Clerk shall each receive Five Dollars per day; the Comparing Clerk shall receive Four Dollars per day; the Doorkeeper and Assistant Doorkeeper shall each receive Four and one-half dollars per day; the Doorkeeper of the Senate Gallery shall receive Four and one-half dollars per day; the Assistants to the Secretary shall each receive Four Dollars per day; the Clerk to the Lieutenant-Governor and the Committee Clerks shall each receive Four dollars per day; the Assistants to the Enrolling Clerk and Assistants to the Engrossing Clerk shall each receive four dollars per day; the Four Pages shall each receive Two Dollars per day; the Two Messengers shall each receive Two dollars per day, and the Two Servants shall each receive Two and one-half dollars per day.

Resolved Further, That the provisions hereof as to such officers and employees of the Senate shall take effect from and after the 11th day of January, 1927, and shall not extend beyond the present session of this Senate.

That all Committee Clerks, when not actually engaged by the Committee shall be under the control and direction of the Secretary and may be used by him in his office.

The names of the Committee Clerks employed by such Chairman shall be certified to the Secretary by such Chairman of each Standing Committee, showing the date such employment begins.

Mr. Teasley moved that the rules be suspended, said resolution put upon its immediate passage and adopted, which motion prevailed and the rules were suspended, said resolution put upon its passage, and adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stanley
Bradford	Hall	Mitchell	Stokes
Brown	Hines	Moore	Teasley
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Cowan	James	Oliver	Williams
Edgar	Jones	Smith	Young

—28

Nays:—None.

NOTICE OF MOTION TO RE-CONSIDER VOTE

Mr. Stokes gives to the Senate notice that he will move to reconsider the vote by which a motion by Mr. Bonner made on yesterday, to lay a certain motion of Mr. James on the table, which motion of Mr. James was to refer the Governor's Message appointing Members of the State Board of Education to the Committee on Education.

Mr. Stokes gives notice that he will make motion to re-consider the vote by which the motion of Mr. Bonner was lost, and the consideration of said motion was postponed temporarily.

On motion of Mr. Walton, further consideration of said motion was postponed until the next legislative day.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:

I want my first expression to you to be that of my grateful appreciation of the generous confidence and wholehearted cooperation that your body has extended to me since you first met in special session.

It is my most earnest hope that this team-work will continue throughout our administration. I am as anxious to help you as I am to have you help me.

I shall freely communicate to you in all candor my ideas on matters that are of interest to the State and earnestly ask that you, in turn, share your opinions with me. Working together this way will give the State the benefit of whatever wisdom there may be in the composite mind of us all.

Our Constitution accords to the Executive this privilege of communicating to the Legislature his ideas affecting the interest of the State. Our custom makes the first executive message the synopsis of the program of the incoming administration. Availing myself of that constitutional privilege, and in conformity with that custom, I now call your attention to the more important matters that to me seem to need your consideration.

EDUCATION

Our educational needs are known of all—these needs we must supply. Our great problem is how. At the outset of the problem, let us determine that it shall be solved, then devote our energy to working out the details. There is now in course of passage an emergency appropriation bill which will give our grammar schools a minimum term of seven months. I earnestly ask that the prompt passage of this bill for there must be an equalizing of the educational opportunities of our white children, and this is the way to do it. Not by taking anything from anybody, but by adding this to those

most in need. Our proposed emergency appropriation to secure seven months session of the current term of our common schools should be put through quickly for if this relief is not immediate it will be unavailing but this is only a temporary relief, and this temporary relief plan must not be taken forward or incorporated into our permanent plan. In our permanent plan, education must advance all along the line, developing the whole system harmoniously.

For its own protection, the State must see to it that every normal white child is put through the grammar grades. Not one of these grammar schools mus ever be premitted to run a less term than seven months. During the adinimistration these terms should be brought up to as much as eight months and a seventy-five dollar minimum should be reached in the pay of their teachers. A junior high school should be accessible to every child and each county should have as many senior high schools as are necessary to serve the children of the county. In these high schools vocational training and domestic science must be stressed, thus fitting their pupils for life's work. Surely the normal children that pursue the straight and narrow path should be given as good equipment for life's work as is given to delinquent children committed to reform institutions.

I believe that we receive more immediate returns from the money spent upon our normal schools than we do from any other educational expenditure and that if there be one educational need that is now more pressing than are the others it is the need of our normal schools. We are undertaking to provide an adequate educational system for the whole State. The working out of those provisions will necessarily extend over a few years but the provisions will avail little if we have not prepared the teachers to take the places that we are going to provide.

Our higher institutions must be enabled to fulfill their respective missions.

Throughout our whole system the increasing of the earning power of the pupils must be stressed. The high paid places in the industry of Alabama should be filled by the output of educational institutions of our own.

I have heretofore called to your attention the fact that the cost of our school text books is greatly in excess of that cost in other southern states;—the cost of basal text books in our seven grammar grades exceeds the average cost of the basal text books in the same grades in those other states by more than fifty-eight per cent. I suggest as a remedy, a change in the present method of selecting the State Text Book Commission.

Our educational program must not be confined to the men and women of tomrrow but must include those of today. We must take knowledge to those who will use it now, our demonstration agencies, extension services, and vocational training activities, all bring immediate returns. They raise our earning power and our standards of living. We must avail ourselves of the opportunity afforded by these agencies for immediate betterment and increase their fields of usefulness by making the needed provision for their extension.

The States Trades Training School located at Gadsden is a part of our Educational system, and an important one. It is an effort on the part of the State to give to our white boys the same training now being given to the negroes at Tuskegee. I express the hope that sufficient funds may be found to equip and maintain this school on an efficient and growing basis.

One of our most efficient and useful institutions is the Boys Industrial School, at East Lake. Its present high standard should be maintained.

The Girls Industrial School, at Birmingham, is not, in my opinion, accomplishing its intended purpose. This institution should be placed under the management and control of the State and provision should be made for giving its inmates such a training as will fit them to earn an honest living and become useful citizens.

The Deaf, Dumb and Blind Institute, at Talladega is in charge of a devoted and loyal corps of workers, but in my judgment the provision made for it is inadequate both as to plant and upkeep. I recommend that ample provision be made for its needs.

The Industrial School for negro boys, near Montgomery, is doing good work and is well managed. Its needs are being met by its present appropriation, and I recommend its continuance.

HEALTH

We take great pride in the progress Alabaam has made in health service. Our system has been accepted as a standard by other states and nations. We should speedily extend this system throughout our own state.

MOBILE PORT

It is a matter of congratulation that at this session you have passed the Mobile Port Act, thus enabling General Sibert and his associates to complete our port and give to our agriculture, commerce and industry an open gateway to the markets of the world.

ROADS AND BRIDGES

The action you have already taken at the Extra Session in the passage of the Gasoline Excise Tax and submitting to the people the Constitutional Amendment providing for the issuance of the Road and Bridge bonds assures the continued building and maintenance of roads and bridges.

Our road needs are so urgent that we must devote to them every available asset; not only the money to be derived from the Gasoline Tax, but convict labor and the proceeds from the Road and Bridge bonds.

Existing law is sufficient to enable the Executive to properly control State Convicts and remove them from the present employment to such other employments as may be deemed wise. This control should be extended to our County Convicets, and this will require action on your part in enacting such legislation as will give this control and will care for the interest of the counties.

When the Road and Bridge amendment has been ratified by the people, it will be necessary for you to pass an enabling act authorizing the issuance of these bonds.

The preservation of our roads is as important as is their construction and maintenance. We should not permit a greater load weight pressure on the road than it is able to bear. Many of our roads are being destroyed for lack of this kind of protection, and I recommend that you enact such measures as will not unduly hamper business, but will prevent the destruction of our highways.

I also recommend that you enact such laws as will secure safety on the highways, including uniformity in speed regulations, width of vehicles and traffic rules.

Busses should be made common carriers, and the Public Service Commission should be given jurisdiction over them, under such regulations as you may see fit to prescribe.

THE JUDICIARY

There is too much delay in the administration of both civil and criminal law. We are accustomed to approach this subject from the wrong angle and seek relief by increasing the number of our judicial officers, rather than simplifying the rules of procedure. Courts ought to administer the the laws, rather than make or unmake them. Simplifying procedure elimi-

nates judge-made law, reduces the number of judges necessary to apply the law, and expedites its administration. An under-paid judiciary is a poor economy. It is better to increase the pay of judges than add to their number.

CHILD WELFARE

Much good and constructive work has been accomplished by this important department, and the effort to connect the State activities with county aid is meeting with encouraging success, but the responsibilty of the State, as such, towards its d'sadvantaged children, has not received the consideration which it deserves. Since the last appropriation was made to this department, it has been deemed advisable by the child Welfare Commission to take over the child-caring-for and child-placing work. This added burden has been inadequately met by the public subscription, therefore, I recommend a substantial increase in the support now accorded this department.

The very efficient director of the department will be able to furnish you the details, and her wishes in respect to your support of the department I commend to your favorable consideration.

DEPARTMENTS OF CONSERVATION

We have two departments of conservation, the Forestry Department and the Fish and Game Department. There is so much in common in the ends sought to be attained by these two departments, and such an overlapping of their activities, that their coordination should engage your careful consideration. I call to your attention the recommendations in the quadrennial report of the Commissioner of Game and Fisheries.

COUNTY AND MUNICIPAL BONDS

The unnecessarily high interest rate being paid upon our county and city bonds is costing our people many millions of dollars. It is easily possible to save this great and unneecssary expense and at the same time establish a credit in the bond markets for these branches of government that will enable them to dispose of ther securties at a lower interest rate and at par value. To accomplish these results will require legislative enactments and perhaps constitutional amendment. I suggest the raising of a joint committee to investigate the matter and recommend to you the necessary legislative action.

MUSCLE SHOALS

I have heretofore called your attention to the necessity of ascertaining, declaring and protecting the State's interest in the Muscle Shoals water power, and I again urge upon you the necessity of prompt action by raising a committee, or taking such other action as you deem best to protect Alabama's interest.

THE FEE SYSTEM

A fee system is fundamentally bad. I recommend that you submit a constitutional amendment, to be voted on at the next general election, authorizing the Legislature to place any officer upon a salary at the expiration of his term of office.

WORKMEN'S COMPENSATION LAW

The workmen's compensation law should provide a shorter waiting period, higher rates of compensation, and increased medical and hospital benefits.

A Workmen's Compensation Commission would, I believe, many times pay its cost in the added benefit it would bring to those for whom the law was intended.

OFFICIAL ECONOMY

I commend to your consideration the more definite regulation of the expenses of and allowances to public officers and employees. It seems that everyone working for the public expects an automobile bought and maintained out of some public fund.

SUNDAY

We should protect our protestant christian Sunday, and prevent it being commercialzed by amusements operated for gain.

REPRESENTATION

I believe it is your duty to carry out the provisions of the Constitution upon reapportionment of representation in the Legislature.

AUTO TITLE CERTIFICATE LAW

I recommend the elimination of the nuisance features of the automobile Title Certificate Law.

PRESIDENTIAL PRIMARY

I recommend the repeal of the Presidential Preferential Primary Election Law.

CONFEDERATE VETERANS

The Soldiers Home is filling well the purposes for which it was erected. It should have your continued support. One of the most sacred privileges of the State is to care for the necessities of the "Soldiers of the Sixties", and their widows. In relieving their necessities, we are not commercializing their patriotism by putting a moneyed value upon their services. Since their numbers are lessening while their necessities are increasing we can enlarge the aid given each without increasing the aggregate expenditure.

FINANCE

To supply the urgent needs outlined above will require the raising of not less than three millions of dollars in addition to that now coming into the State Treasury. We should not expect any additional revenue from ad valorem taxes on tangible property. In the aggregate these valuations are bearing their full share of the burden. While equalization will raise some property valuations, the depressed agricultural conditions will require a reduction of the burden now being borne by some of our farm lands. I do not think I should in any wise undertake to dictate to your Body the sources from which the additional revenues should be derived. but should in every way cooperate wth you in the accomplishment of the necessary results.

This is our greatest task and should have the right of way. I suggest that the Ways and Means and Finance committees, availing themselves of the advice and counsel of their fellow members, immediately begin their work, and that at a very early date, the Legslature take a short recess, in which time these committees determine upon and formulate the measures necessary to raise this required revenue, and that upon your reassembly, your continuous undivided attention be given this subject until it is accomplished.

Alabama can afford all the millions of dollars that her necessities demand, but she cannot afford one penny that is not necessary.

In conclusion permit me to again congratulate you upon the auspicious beginning of the assumption of your responsible and arduous duties, and to express an earnest desire that in all your deliberations you w ll be guided by Divine Wisdom, and that abundant success may crown your labors.

Respectfully,
BIBB GRAVES,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Teasley, the reading of the Governor's Message was dispensed with, and same ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goodwyn:

H. 5. To provide funds for the repair or improvement of the Capitol.

Also:

By Mr. Poole:

H. 8. To repeal an Act approved September 14, 1923, entitled: "An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second-hand vehicles as herein defined; to provide for sale of vehicle with engine number altered or changed; to prescribe the powers and duties of the State Tax Commission and Probate Judges hereunder; and to provide penalties for violation of the provisions hereof."

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. 5, to the Standing Committee on Finance and Taxation.

H. 8, to the Standing Committee on Public Roads and Highways.

VERIFICATION OF VOTE

Mr. Ellis of Shelby moved that the vote of which the Senate just adopted Senate Resolution No. 20, be verified, which motion prevailed, and the Secretary was directed to again call the roll for the adoption of said resolution, which roll call resulted in the following vote:

Yeas, 26; Nays, 2.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Bradford	Hall	Loflin	Teasley
Brown	Hines	Mitchell	Walton
Caffey	Holmes	Moore	Warren
Carlton	Jack	Nixon	Williams
Cowan	James	Smith	Young
Edgar	Jones		

Nays:—Messrs. Ellis of Shelby, and Nolen—2.

RESOLUTIONS.

Mr. Fite offered the following Senate Resolution:

S. R. 21. Resolved by the Senate, That the President Protempore of the Senate be, and he hereby is, authorized to sign on behalf of the Senate any and all vouchers for the pay of the members of the Senate and its employees.

Which was, under a suspension of the rules, adopted.

Mr. Brown offered the following Senate Joint Resolution:

S. J. R. 22: Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they will adjourn until Friday at 10 o'clock, Jany. 21st.

Which was read, and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Brown Chairman of the Standing Committee on Rules, reported that said Committee in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 22: Relative to adjournment of the two Houses until Friday, Jany. 21st.

Mr. Bonner offered the following amendment to said resolution to-wit:

"Strike out the word "Friday" and insert in lieu thereof the word: "Thursday".

Which was adopted.

And said resolution, as thus amended, was then put upon its passage and adopted.

BILL TEMPORARILY POSTPONED

On motion of Mr. Fite, the further consideration of the bill:

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

Was postponed until the 8th Legislative Day.

On motion of Mr. Mitchell, the further consideration of the bill:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

Was postponed until the next legislative day.

On motion of Mr. Brown, the further consideration of the bill:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay north and eastward of a line drawn from King's Bayou near Alabama port in Mobile County, Alabama, to the east end of Big Dauphin Island at Fort Gaines in said county, and to prescribe penalties for violation of this Act.

Was postponed until the next legislative day.

On motion of Mr. Williams, the further consideration of:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Was postponed until the next legislative day.

BILLS ON THIRD READING

The Bill:

S. 17. To regulate the sessions of the circuit court in all counties in this State having more than 200,000 population according to the last or any succeeding Federal Census.

Was read a third time at length, passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; Nays, 6.

Yeas:
Messrs:

Brown	Cowan	Fite	Jack
Caffey	Craft	Hall	James
Carlton	Edgar	Holmes	Jones

Justice	Moore	Smith	Walton	
Mitchell	Oliver	Stanley		—19

Nays:
Messrs:

Ellis of Shelby	Loflin	Stokes	Warren	
Hines	Nixon			—6

The Bill:

S. 22. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stanley
Brown	Hines	Mitchell	Teasley
Carlton	Holmes	Moore	Thompson
Cowan	Jack	Nixon	Walton
Edgar	James	Nolen	Warren
Ellis of Shelby	Jones	Oliver	Williams
Fite	Justice	Smith	Young

—28

Nays:—None.

The Bill:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 1.

Yeas:
Messrs:

Bradford	Ellis of Shelby	James	Smith
Brown	Fite	Jones	Stokes
Caffey	Hall	Loflin	Teasley
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Williams
Edgar	Jack	Nolen	Young

—24

Nays: Mr. Thompson—1.

The Bill:

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Mitchell	Stokes
Brown	Hines	Moore	Teasley
Caffey	Holmes	Nixon	Thompson
Carlton	Jack	Nolen	Walton
Cowan	James	Oliver	Warren
Edgar	Jones	Smith	Williams
Ellis of Shelby	Justice	Stanley	Young
Fite	Loflin		

—30

Nays:—None.

The Bill:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stokes
Bradford	Hall	Mitchell	Teasley
Brown	Hines	Moore	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Cowan	James	Oliver	Williams
Edgar	Jones	Smith	Young
Ellis of Shelby	Justice	Stanley	

—31

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 22. Relative to the adjournment of the two Houses until Thursday, January 20th, at 10:00 o'clock.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

ORDER TO PRINT

On motion of Mr. Fite, 200 copies of the bill:

S. 54: Providing for the regulations, supervision, and control of persons, firms, corporations, and associations owning, controlling, operating, or managing motor vehicles used in the business of transporting persons or property for compensation on the improved public highways of the State which are or may hereafter be declared to be parts of the State Highway System,

or any of the County Highways, and prescribing and imposing license fees and providing for the disposition of the revenue raised by the same.

Were ordered printed for use of the Senate.

MESSAGE FROM THE GOVERNOR

Senate of Alabama,
Montgomery, Alabama.

I hereby respectfully withdraw from your consideration for confirmation the Executive Nomination of the following gentlemen upon the State Board of Education: Dan T. McCall, Wm. L. Lee, R. H. Powell, Cadwalladar Erwin, Clarence Inzer, L. Sevier.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

The foregoing message from His Excellency, the Governor, was read, and, on motion of Mr. James, the names of the above gentlemen were withdrawn from the Committee on Educaiton.

ADJOURNMENT

At 1:15 P. M., on motion of Mr. James, and pursuant to S. J. R. 22, heretofore adopted, the Senate adjourned until 10 o'clock Thursday Morning, January 20th, 1927.

SEVENTH DAY

Thursday, January 20th, 1927.

The Senate met pursuant to adjournment, Lieutenant-Governor Davis presiding.

PRAYER.

By Dr. Frank Willis Barnett, of Birmingham.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Shelby	Jones	Smith
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Edgar	Jackson	Nolen	Williams
Ellis of Dallas	James	Oliver	Young

—32

JOURNAL.

On motion of Mr. Fite, the reading of the Journal of yesterday was dispensed with, and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Ellis of Dallas, leaves of absence were granted to Messrs. Walker, Stanley and Craft.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James:

S. 63. To amend Sections 12 and 27 of Article 5 and to repeal Section 14 of Article 6 and Section 3 of Article 7 of an Act of the Legislature of Alabama entitled, "An Act to provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State Superintendent of Education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education; to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and to provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to

fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers institutes; for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform text books throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue; boards of education; school districts or private sources; to provide for county high schools treasurers; to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds; to fix their bonds and prescribe their powers and duties, and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations or district agricultural schools and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State Normal Schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management, to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls'

Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management ond control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf, of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of commiting boys thereto, and for the use of appropriations for such school, to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this Act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this Act and to provide for the repeal of inconsistent laws enacted hereafter", approved September 26, 1919 be amended as to Sections 12 and 27 of Article 5 so as to read as follows.

Education.

By Mr. Warren:

S. 64. To amend Section 3046 of the Code of Alabama of 1923.

Judiciary.

By Mr. Warren (with notice and proof):

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Finance and Taxation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO THE LEGISLATURE FOR A PRIVATE BILL

STATE OF ALABAMA,
Tuscaloosa County.

To Whom It May Concern:

This is to give notice of the intention of the undersigned to apply to the next Legislature of Alabama for a private bill awarding compensation for injuries received from burns while in the employment of the State at the Alabama Insane Hospital.

Canerdy Jackson.

STATE OF ALABAMA,
Tuscaloosa County.

Before me, Charles C. Ward, a notary public in and for said state and county, on this day personally appeared, Aaron Miller, who being by me first duly sworn, deposes and says:

That he is publisher of the West Alabama Breeze, a newspaper published in said county, and that the publication of the notice, of which the foregoing is a true copy, has been made in said paper once a week for four consecutive weeks, to-wit, on the 21st day of Oct. 1926, on the 28th day of Oct. 1926, on the 4th day of Nov. 1926, and on the 11th day of Nov., 1926.

Aaron Miller.

Ssubscribed and sworn to before me on this the 14th day of Jan. 1927.

Charles C. Ward,
Notary Public in and for Tuscaloosa County, Alabama.

By Mr. Fite:

S. 66. To amend Section 6898 of the Code of Alabama of 1923.

Judiciary.

By Mr. Williams:

S. 67. To provide for the compensation and expenses of certain members of the judiciary of Alabama.

Judiciary.

By Mr. Williams:

S. 68. To amend Section 4039 of the Code of 1923, and to make such amendment effective as of the date of the going into effect of said Code.

Judiciary.

By Mr. Williams:

S. 69. To amend Sections 10332 and 10333 of the Code of Alabama of 1923.

Judiciary.

By Mr. Williams:

S. 70. To amend Sections 10327, 10328 and 10329 of the Code of 1923.

Judiciary.

By Mr. Fite:

S. 71. To amend Section 6898 of the Code of Alabama of 1923.

Judiciary.

By Mr. Fite:

S. 72. For the protection of persons furnishing material and labor for the construction of public works and for other purposes.

Revision of Laws.

By Mr. Fite:

S. 73. To amend Section 6856 of the Code of Alabama of 1923.

Judiciary.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Warren (with notice and proof):

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of the same.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Oliver:

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

By Mr. Mitchell:

S. 2. To make an appropriation of six hundred thousand ($600,000.00) dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

S. 2. To make an appropriation for six hundred thousand ($600,000.00) dollars, or so much thereof as may be necessary,

to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

By Mr. Goodwyn (with amendment):

H. 5. To provide funds for the repair or improvement of the Capitol.

By Mr. Oliver:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

By Mr. Williams:

S. 31. To amend Section 906 of the Code of Alabama of 1923.

Mr. Holmes, Chairman of the Standing Committee on Fish, Game and Forestry reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Holmes:

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both civil and criminal, and to make an appropriation for the expense of same.

By Mr. Holmes:

S. 62. To protect and preserve the diamond backed terrapin and to impose the penalties for violation of the provisions of this Act.

By Mr. Holmes:

S. 39. To provide for a closed season on fresh water food fishes in the State of Alabama, to provide for a day's bag limit on large and small mouth bass, commonly known as trout or green trout, and on bream and perch, to prohibit the sale of bass and bream in the State of Alabama, to prohibit the shipping, transporting, or carrying of bass and bream taken in the fresh public waters of this State to any point beyond the boundaries of the State of Alabama, to provide penalties for violations of the provisions of this Act.

ADVERSE REPORT

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 59. To protect a bona fide purchaser for value of land, or interest in land against the lien of a judgment or decree ren-

dered in any court, a certificate of which has been filed in the probate office of any county in this State, in pursuance of law, when the given name and/or initials, and/or surname of the judgment debtor as shown by the certificate filed, is not identical with the given name, and/or initials, or surname of the judgment debtor as shown by recorded conveyance, or will, where the judgment debtor acquired the land or interest in land by conveyance, or will, or where the name of the judgment debtor as shown by the certificate is not identical with the name by which the judgment debtor is commonly known, where the judgment debtor acquired the land, or interest in the land by inheritance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment: By Mr. Ward (Tuscaloosa):

H. 18. To make an appropriation of Six Hundred Thousand ($600,000.00) Dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 18 to the Committee on Finance and Taxation.

CONSIDERATION OF SPECIAL ORDER

The Senate proceeded to consider the special order for today, which was the bill:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and prescribe his powers and duties.

Mr. Warren offered the following substitute for said bill, to-wit:

Substitute for H. 3:

A Bill to be entitled an Act to create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

Be it Enacted by the Legislature of Alabama:

Section 1: The office of Alabama Highway Director in Alabama is hereby created, the said Alabama Highway Director will be the President of the State Highway Commission and the State Highway Engineer of said Department in one person.

Section II: The Alabama Highway Director in Alabama shall be appointed by the Governor and shall hold office for six years from the date of his appointment and until his successor is appointed and qualified.

Section III. The salary of the Alabama Highway Director in Alabama shall be fixed at a sum to be prescribed by the Governor, but not to exceed the salaries now paid the President of the State Highway Commission and the State Highway Engineer.

Section IV. The powers and duties of the Alabama Highway Director in Alabama shall be all and singular the powers and duties now prescribed by law to be performed by the President of the State Highway Commission and by the State Highway Engineer.

Section V. That all laws and parts of laws in conflict with any of the provisions of this act be and are hereby repealed.

Section VI. That this act shall go into effect and become operative immediately upon its passage and approval.

Which was adopted.

Yeas, 28; Nays, 2.

Yeas:
Messrs:

Bradford	Fite	Jones	Smith
Caffey	Hall	Loflin	Teasley
Carlton	Hines	Mitchell	Thompson
Cowan	Holmes	Moore	Walton
Edgar	Jack	Nixon	Warren
Ellis of Dallas	Jackson	Nolen	Williams
Ellis of Shelby	James	Oliver	Young

—28

Nays: Messrs. Bonner and Stokes—2.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; Nays, 6.

Yeas:
Messrs:

Caffey	Fite	James	Oliver
Carlton	Hall	Jones	Smith
Cowan	Hines	Loflin	Walton
Edgar	Holmes	Mitchell	Warren
Ellis of Dallas	Jack	Moore	Williams
Ellis of Shelby	Jackson	Nixon	Young

—24

Nays:
Messrs:

Bonner	Nolen	Teasley	Thompson
Bradford	Stokes		—6

BILLS ON THIRD READING

The bill:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

Was taken up.

Mr. Mitchell offered the following amendment to said bill:

Amend Senate bill No. 3 by striking out the words "The county seat of the county wherein defendant resides or the cause of the action arose" and insert in lieu thereof, "The nearest precinct of defendant's county in which the circuit court sits."

Which was adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stokes
Bradford	Hall	Mitchell	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	Justice	Smith	Young

—28

Nays:—None.

And said bill as thus amended was read a third time at length and passed.

Yeas, 26; Nays, 2.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stokes
Bradford	Hines	Mitchell	Thompson
Brown	Holmes	Moore	Walton
Carlton	Jack	Nixon	Warren
Cowan	Jackson	Oliver	Williams
Edgar	James	Smith	Young
Fite	Jones		—26

Nays: Messrs. Caffey and Ellis of Shelby.—2.

The bill:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or

withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

Was taken up.

Mr. Bonner offered the following amendment to said bill, to-wit:

Amend H. 2. as follows:

That Section 10 of H. 2 be amended so as to read as follows:

"Section 10. The proceeds of the excise tax levied by this act shall, when collected, be paid into the State Treasury, to the credit of the Public Road and Bridge Fund. All funds so raised shall be primarily charged with the payment of the interest upon such additional highway and bridge bonds, when the same shall have been authorized and sold, and to provide a sinking fund, which shall be sufficient to retire such bonds within a period of thirty-one years. Any of said fund not used and expended for said primary obligations may be used by the State Highway Commission, with the approval of the Governor, in constructing public roads and bridges within the State, as now or hereafter provided by law, and in maintaining the public roads and bridges which have been or may hereafter be constructed by the State Highway Commission, in equipping and preparing convicts for use upon the public roads and bridges of the State, for the maintenance of such convicts while so at work upon such roads and bridges, for compensating the State for the use of such convicts, and for such other use upon the public roads and bridges of the State as may be authorized by the State Highway Commission, with the approval of the Governor. PROVIDED, HOWEVER, that no part of said fund shall be expended except in accordance with the law as it now exists or may hereafter be enacted."

Which was adopted.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stanley
Bradford	Hines	Mitchell	Stokes
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walton
Carlton	Jackson	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Shelby	Jones	Smith	Young
Fite			

—29

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; Nays, 1.

Yeas:
Messrs:

Bonner	Hall	Mitchell	Stokes
Bradford	Hines	Moore	Teasley
Brown	Holmes	Nixon	Thompson
Caffey	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Edgar	James	Smith	Williams
Ellis of Shelby	Jones	Stanley	Young
Fite	Loflin		

—30

Nay:—Mr. Carlton—1.

BILLS POSTPONED

On motion of Mr. Teasley, the further consideration of:

S. 32. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

Was indefinitely postponed.

On motion of Mr. Holmes, the further consideration of:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay north and eastward of a line drawn from King's Bayou near Alabama port in Mobile County, Alabama, to the east end of Big Dauphin Island at Fort Gaines in said county, and to prescribe penalties for violation of this Act.

Was postponed until the next Legislative Day.

ORDER TO PRINT

On motion of Mr. Williams, 300 copies each of the following bills, to-wit:

S. 43. To make uniform the law of sales of goods.

Also:

S. 44. To make uniform the law of transfer of shares of stock in corporations.

Also:

S. 45. To define liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

Also:

S. 47. To make uniform the law of bills of lading.

Also:

S. 56. Relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto.

Were ordered printed for the use of the Senate.

SPECIAL ORDERS SET

On motion of Mr. Ellis of Dallas, the bills:

S. 2. To make an appropriation of six hundred thousand ($600,000.00) dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

Also:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

Also:

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

Also:

H. 5. To provide funds for the repair or improvements of the Capitol.

Were made special orders for the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in the Senate amendment to the following House bills:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and prescribe his powers and duties.

Also:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

J. H. Stewart,
Clerk.

RECESS

At 11:10 A. M., on motion of Mr. Brown, the Senate took a recess until 2:30 this afternoon.

AFTERNOON SESSION

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Davis presiding.

ROLL CALL.

Present:

Messrs:

Bonner	Fite	Justice	Stanley
Bradford	Hall	Loflin	Stokes
Brown	Hines	Mitchell	Teasley
Caffey	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Dallas	Jones	Smith	Young
Ellis of Shelby			

—33

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 74. To create a commission to be known as The Alabama Muscle Shoals Commission, to provide its appointments, to define its duties and powers and to make an appropriation for its expenses.

Finance and Taxation.

REPORT OF COMMITTEE

Mr. Hines, Acting Chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Poole:

H. 8. To repeal an Act approved September 14, 1923, entitled: "An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second-hand vehicles as herein defined; to provide for sale of vehicle with engine number altered or changed; to prescribe the powers and duties of the State Tax Commission and Probate

Judges hereunder; and to provide penalties for violation of the provisions hereof."

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said committee, in session ,have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 3. To amend Section 8714 of the Civil Code of Alabama.

William Brown,
Chairman.

RESOLUTIONS.

Mr. Brown offered the following Senate resolution:

S. R. 23. Resolved that the Committee on Military be increased from five members to consist of six members and that Senator Nolen be added to said committee.

Which was under a suspension of the rules, adopted, and the President of the Senate thereupon appointed Mr. Nolen as a member of the Committee on Military.

Mr. Fite offered the following joint resolution:

S. J. R. 24. Resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet on tomorrow at 10 o'clock A. M. and when the two houses adjourn tomorrow they adjourn to meet again Tuesday, January 25th at two o'clock P. M.

Which was under a suspension of the rules adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

H. 55. A bill to be Entitled an Act to submit to the qualified voters of the State of Alabama, at the general election to be held in November, 1928, for their consideration, an amendment to the Constitution of the State of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector Clerk of the Circuit Court andRegisters of the Circuit and Chancery Courts, and including the method or basis of their compensation.

Be it Enacted by the Legislature of Alabama:

Section One. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration, as hereinafter set forth, viz: "The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any County Officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation."

Section Two. That it shall be the duty of the Governor of Alabama to give notice by proclamation to be published in one newspaper in each County in the State of Alabama at east eight successive weeks next preceding the general election in November, 1928, of the election on the amendment proposed by this Act to be submitted to the qualified voters of the State of Alabama for their consideration together with the proposed amendmen.

Secion Three. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment. Upon the ballots used at such election shall be printed the following, viz: *Amendment to constitution, authorizing the legislature of Alabama, by general or local laws, from time to time, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the Sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation.* Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a crossmark by him or her opposite the word expressing his or her desire.

Section Four. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law govrning general elections. In the election upon the proposed amendment the votes cast thereat shall be cavassed, tabulated and the returns thereof be made to the Secretary of State and counted in the same manner as in elections for Representatives to the Legislature of Alabama, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same,

such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read one time at length and referred to appropriate standing committee as follows:

H. 55. To the Committee on Constitution and Constitutional Revision and Amendments.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Frey:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved Sept. 29, 1923.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 20. To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Fite:

H. J. R. 9. Resolved by the House, the Senate concurring, that when we adjourn today, we adjourn to re-convene on Tuesday, January the 25th at 2 o'clock P. M.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 9, set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 9. Relative to adjournment of the two houses until Tuesday, January 25th at 2 o'clock P. M.

And on motion of Mr. Brown, said report was concurred in and said resolution concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker, in the presence of the House, having signed the following House bill, your signature thereto is requested:

By Mr. Tunstall:

H. 3. To create the office of Alabama Highway Director in Alabama, to provide for his appointment, to fix his salary, to define his term of office, and to prescribe his powers and duties.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing message from the House.

RESOLUTION

Mr. Brown offered the following resolution:

S. J. R. 25. Be it resolved by the Senate, the House concurring, That a joint committee of the Senate and the House is hereby created to consist of 2 members on the part of the Senate, to be appointed by the presiding officer of the Senate, and 3 members on the part of the House, to be appointed by the Speaker of the House, whose duty it shall be to visit the Alabama School of Trades and Industry at Gadsden, Alabama, and investigate said institution as to its needs of maintenance, buildings and equipments, and to make such recommendations to the Legislature as to its financial needs for the present together with its possible requirement in the future to the end that the institution will be placed upon a permanent, substantial and definite working basis.

That the committee shall be paid a per diem and expenses in the same manner that other legislators and committees are paid.

Which was, under a suspension of the rules, adopted.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	James	Smith	Young

—32

Nays:—None.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 10. Be it resolved by the Senate, the House concurring:

1st: That a joint committee of the Senate and House is hereby created, to consist of two members on the part of the Senate, to be appointed by the Presiding Officer of the Senate, and three members on the part of the House, to be appointed by the Speaker of the House, who shall elect one of their number as Chairman of such Committee:

2nd: It shall be the duty of this committee to investigate the School Text Books of the State as to whether or not any law has been violated as to carrying out any contracts in supplying school vestigation that may be advisable in making a full report of the Text Books of the State.

3rd: This committee shall have full power and authority to call for individuals, documents, books, papers and any other information deemed necessary in making such investigation,

4th: That it shall be the duty of said committee to make such recommendations to the Legislature from its findings as they may think best, and to make report in a reasonable time.

5th. That it shall have the power to employ a secretary who, with the committee, shall be paid a per diem and expenses in the same manner that other legislators and committees are paid.

And on motion of Mr. Brown, said report was concurred in and said resolution adopted.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley	
Bradford	Fite	Loflin	Stokes	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walton	
Carlton	Holmes	Nixon	Warren	
Cowan	Jack	Nolen	Williams	
Edgar	Jackson	Oliver	Young	
Ellis of Dallas	James	Smith		—31

Nays:—None.

RESOLUTION

Mr. Fite offered the following joint resolution:

S. J. R. 26. To raise a Committee to Investigate and Make a Report Upon the Girl's Industrial School of Alabama and Other Institutions of Like Kind and Character.

Be it Resolved by the Senate, the House of Representatives concurring, that a joint Committee from the Senate and the House of Representatives of the Alabama Legislature is hereby authorized to consist of two members from the Senate to be appointed by the President of the Senate, and three members from the House to be appointed by the Speaker of the House, which Committee shall sit at such time as they may deem proper either during the Legislature session or during recess of the Legislature. Second, It shall be the duty of said Committee to investigate conditions at the Girls' Industrial School, located at Birmingham, and such other institutions of like kind and character and make a report to Legislature of Alabama of their findings and conclusions and recommend to the Legislature the enactment of such statutes as they may deem necessary for the control and maintenance of these Institutions. Third, If such Committee sit during recess of the Legislature they shall receive ten dollars per day and the necessary traveling and hotel expenses incurred.

Which was, under a suspension of the rules, adopted.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Jones	Smith	
Caffey	Hall	Loflin	Stanley	
Carlton	Hines	Mitchell	Stokes	
Cowan	Holmes	Moore	Thompson	
Edgar	Jack	Nixon	Walton	
Ellis of Dallas	Jackson	Nolen	Williams	
Ellis of Shelby	James	Oliver		—27

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Baldwin:

H. 11. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 11. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed:

By Mr. Goodwyn:

H. 60. To provide for the expenses incurred by members of the Legislature of Alabama while in attendance upon sessions of the Legislature.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 60. To the Committee on Finance and Taxation.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

In accordance with the provisions of Section 9, Article 3—State Board of Education—as contained in the School Code of Alabama, (1924, vacancies occurring in the office of members of the State Board of Education shall be filled by appointment of the Governor, by and with the consent of the Senate:

I, therefore, report to you herewith the appointment of the following members of the State Board of Education:

D. T. McCall, Mobile, Alabama, term ending Sept. 30, 1935, for the First District.

W. L. Lee, Dothan, Alabama, term ending Sept. 30, 1935, for the Third District.

R. H. Powell, Tuskegee, Alabama, term ending Sept. 30, 1935, for the Fifth District.

Cadwallader Erwin, Greensboro, Alabama, term ending Sept. 30, 1927, for the Sixth District.

J. C. Inzer, Gadsden, Alabama, term ending Sept. 30, 1931, for the Seventh District.

Mrs. Mary T. Jeffries, Birmingham, Alabama, term ending Sept. 30, 1935, for the Ninth District.

I submit these appointments for your consideration and confirmation.

Respectfully,
Bibb Graves,
Governor.

January 20, 1927.

GOVERNOR' MESSAGE

Mr. Mitchell moved that the foregoing message from His Excellency, the Governor, be referred to the Standing Committee on Education.

Mr. Bonner, as a substitute for the motion of Mr. Mitchell, moved that the nominations in said message be now confirmed.

Mr. Williams moved that the motion of Mr. Bonner be laid upon the table, which motion prevailed and the motion of Mr. Bonner was laid upon the table.

Yeas, 17; Nays, 14.

Yeas:
Messrs:

Bradford	Ellis of Shelby	James	Stanley	
Brown	Holmes	Jones	Teasley	
Caffey	Jack	Mitchell	Warren	
Cowan	Jackson	Nolen	Williams	
Ellis of Dallas				—17

Nays:
Messrs:

Bonner	Hall	Nixon	Stokes	
Carlton	Hines	Oliver	Walton	
Edgar	Loflin	Smith	Young	
Fite	Moore			—14

The question then recurred on the motion of Mr. Mitchell to refer said message to the Committee on Education, which motion prevailed and said message was referred to the Standing Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed:

By Mr. Vickers:

H. 53. To provide for the appointment of a stenographer by each solicitor of each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of office

of said stenographer, to prescribe the duties of said stenographer, and to fix the compensation of said stenographer.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read one time and referred to appropriate standing committee as follows:

H. 53. To the Standing Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Goodwyn:

H. 4. To amend Section 906 of the Code of Alabama of 1923.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 4. To the Standing Committee on Finance and Taxation.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the Fifth, Sixth and Seventh Legislative Days, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journals of the Senate for the Fifth, Sixth and Seventh Legislative Days were approved by the Senate.

ADJOURNMENT

At 4:30 P. M., on motion of Mr. Jack and pursuant to joint resolution heretofore adopted, the Senate adjourned until Tuesday, January 25th at 2 P. M.

EIGHTH DAY

Tuesday, January 25, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Dr. Frank Willis Barnett, of Birmingham.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young

—32

JOURNAL.

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Bradford, leave of absence was granted Mr. Ellis of Shelby for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and refered to appropriate standing committees, as follows:

By Mr. Oliver (with notice and proof):

S. 75. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, in supervising the construction,

maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said commissioners.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply to the next regular session of the legislature of Alabama, for the passage of a local law for Talladega county, Alabama, the substance of which is as follows:

An Act to provide dditional duties and confer additional powers on each member of the court of county commissioners of Talladega county, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said commissioners.

Be it enacted by the legislature of Alabama:

Sec. 1. That each member of the court of county commissioners of Talladega county, except the probate judge, shall have supervision of and shall be responsible for the court of county commissioners for the construction, maintenance and upkeep of the county roads and bridges in his commissioner's district, and shall make a personal inspection of all work under construction in his district and shall approve all appointments of the county road superintendent of all road overseers, apportioners and enumerators necessary for the construction, maintenance and upkeep of the roads and bridges in his district, and shall inspect and approve all reports of overseers in his district, and the probate judge shall assist said commissioners in the performance of their duties to such extent as shall be necessary.

Sec. 2. That each member of the court of county commissioners of Talladega county except the probate judge on presentation to the court of county commissioners of a monthly written report, which report shall show road inspections and due diligence on the part of such commissioner in the performance of his duties, which must be approved by the commissioners court, shall receive a monthly salary of fifty ($50.00) dollars a month, which shall be in ,ieu of all fees, compensation and expenses allowed by law to such commissioner for service rendered in and about such commissioners court, including the work required as members of the board of review, the payment of such salary to be made out of the county treasury by warrant drawn by the probate judge on the treasury of the county on the first of each month for the preceding month. That the probate judge shall receive as compensation for his services as a member of such commissioner court the sum of three ($3.00) dollars for each day or part of a day which he shall preside over the sessions of said court and such actual expense as he may incur in the performance of his duties, said compensation to be paid on the first of each month for the preceding month out of the county treasury by warrant of such judge drawn on the treasury of the county.

Sec. 3. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. That this act shall take effect and become operative immediately upon its passage and approval by the governor.

THE STATE OF ALABAMA,
Talladega County.

Personally appeared before me, a Notary Public in and for said county Jno. C. Williams, who being duly sworn according to law, deposes and says that he is the Publisher of the Our Mountain Home a newspaper published in said county, and that the publication of a certain notice, a true copy of

which is hereto affixed, has been made in said newspaper for Four weeks consecutively, to-wit, in the issue hereof dated as follows: Dec. 29, 1926, Jan. 5, 1927, Jan. 12, 1927, Jan. 19, 1927.

Jno. C. Williams,

Subscribed and sworn to before me this 20th day of January, 1927.

Emma Huey,

(Seal) Notary Public.

Also:

S. 76. To authorize and empower any State Institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

Education.

By Mr. Young:

S. 77. To amend Section 6 of Article 34 of the Agricultural Code of Alabama.

Agriculture.

By Mr. Fite:

S. 78. To authorize the Alabama Public Service Commission to employ a commerce counsel and to define the scope of his duties and authority and to provide for his compensation.

Revision of Laws.

Also:

S. 79. To Amend Section 871 of the Code of Alabama of 1923.

Revisions of Laws.

Also:

S. 80. To Amend Section 2051 of the Code of Alabama of 1923.

Public Health.

Also:

S. 81. Regulating the issuance of injunctions against municipalities of the State.

Judiciary.

By Mr. Fred Fite:

S. 82. To repeal effective October 1st 1927, Sections 8539, 8540, 8541, 8542, 8543, 8544, 8545, 8546, 8547. 8548. 8549. 8550. 8551. 8552. 8553 and 8554 of the Code of Alabama of 1923.

Banking and Insurance.

By Mr. Fred Fite:

S. 83: To repeal effective October 1st, 1927, the Act approved October 2nd, 1923, entitled "An Act," to authorize and provide a fund to be known as the State Insurance Fund which is to be carried by the State Treasurer for the purpose of insuring against loss by fire or tornado all State-owned buildings or build-

ings in which the State has appropriated monies for the erection or equipment thereof, or which may have been deeded to the State, and all property equipment, furniture and fixtures or supplies belonging to or stored in such buildings and any and all properties of such nature as may be acquired by the State, and to this end to establish a basis for assessment and collection of premiums, to provide for a sinking fund with which to pay losses, to provide an emergency appropriation to be used only in case of loss by fire or tornado in excess of collection of premiums, to provide for a division of the State's property into groups, to provide for return of surplus for maintenance purposes, to provide for inspection and valuation of State property and promulgate rules and regulations necessary for the operation of the Act."

Banking and Insurance.

By Mr. Fite:

S. 84. To provide for the disposition of moneys in the State Treasury to the credit of the State Insurance Fund.

Banking and Insurance.

By Mr. Fite:

S. 85. To amend Section 7 of an Act entitled "An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of Lawyers, Approved August 9, 1923.

Judiciary.

By Mr. Fite:

S. 86. To amend "An Act to impose a license or privilege tax on all deeds, bills of sale, and other instruments of like character admitted to record in the Probate office of this State," approved September 14, 1923.

Finance and Taxation.

By Mr. Fite (by request) (with notice and proof):

S. 87. To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

In pursuance of Section 106 of the Constitution of Alabama, 1901, notice is hereby given for four consecutive weeks, beginning January 1, 1927, and continuing up to and including the 22nd day of January, 1927, by publication in The Weekly Call, a newspaper, published in Birmingham, Jefferson County, Alabama, that application will be made to the Legislature of the

State of Alabama convening in Montgomery, Alabama, on the 11th day of January, 1927, for the passage of an Act altering or re-arranging the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within the corporate limits of said Town certain additional territory described in said Act, said Act being in the following words and figures, to-wit:

AN ACT

To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundary line of the Town of Tarrant City, Jefferson County, Alabama, be and the same is hereby altered and rearranged as follows:

Beginning at the intersection of the north line of Plainview Addition, as recorded in Book of Maps, volume 10, page 48, Probate Office of Jefferson County, Alabama, with the west line of the northwest quarter (NW ¼) of the northwest quarter (NW ¼) of section eight (8), township seventeen (17) south, range two (2) west, on the west boundary line of the Town of Tarrant City as now constituted; thence instead of an easterly direction as heretofore, continue said boundary line south along the west line of said northwest quarter (NW ¼) of the northwest quarter (NW ¼) to the southwest corner of said northwest quarter (NW ¼) of northwest quarter (NW ¼); thence east along the south line of the north half (N ½) of the northwest quarter (NW ¼) of said setcion eight (8), to the north and south center line of said section eight (8); thence south along the center line of said section to its intersection with the south line of Oak Park Addition as recorded in Book of Maps, volume nine (9), page eighty-five (85), Probate Office of Jefferson County, Alabama; thence east along the south line of said Oak Park Addition to the east line of the southwest quarter (SW ¼) of the northeast quarter (NE ¼) of said section eight (8); and from said last named point running south along the heretofore established corporate limit boundary of said Town of Tarrant City so as to include within and to make a part of said Town of Tarrant City the following additional area described as follows:

Beginning at the southwest corner of the northwest quarter (NW ¼) of the northwest quarter (NW ¼) of section eight (8), township seventeen (17) south, range two (2) west; thence east along the south line of the north half (N ½) of the northwest quarter (NW ¼) of said section eight (8), to the north and south center line of said section; thence south along the north and south center line of said section to its intersection with the souh line of said Oak Park Addition; thence east along the south line of said Oak Park Addition to the east line of the west half (W ½) of the northeast quarter (NE ¼) of said section eight (8); thence north along the east line of said west half (W. ½) of said northeast quarter (NE ¼) to the south line of section five (5), township seventen (17) south, range two (2) west; thence west along the south line of said section five (5) to the southwest corner of the southwest quarter (SW ¼) of the southeast quarter (SE ¼) of said section five (5); thence north along the north and south center line of said section five (5) to its intersection with the northwesterly line of the right of way of the Birmingham Water Works canal; thence southwesterly along the northwesterly line of said canal to its intersection with the north line of said Plainview Addition; thence west along the north line of said Plainview Addition to the west line of section eight (8), township seventeen (17) south, range two (2) west; thence south to point of beginning.

Section 2. That all of that territory embraced within said area heretofore described be and the same is hereby included within and made a part of said Town of Tarrant City.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of the Weekly Call,

a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call once a week for four consecutive weks, commencing on Jan. 1, 1927.

Geo. M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 22 day of January, 1927.

Rachel Paceley,
Notary Public.

By Mr. Fite (By request) (With N. & P.):

S. 88. To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from the said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

In pursuance of Section 106 of the Constitution of Alabama, 1901, notice is hereby given for four consecutive weeks, beginning January 1, 1927, and continuing up to and including the 22nd day of January, 1927, by publication in The Weekly Call, a newspaper published in Birmingham, Jefferson County, Alabama, that application will be made to the Legislature of the State of Alabama convening in Montgomery, Alabama, on the 11th day of January, 1927, for the passage of an Act altering or re-arranging the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from thecorporate limits of said Town certain territory described in said Act and now included within its present corporate limits, said Act being in the following words and figures, to-wit:

AN ACT

To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama so as to exclude from the said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

Be it Enacted by the Legislature of Alabama:

Section 1. That the boundary line of the Town of Inglenook, Jefferson County, Alabama, be and the same is hereby altered and rearranged as follows:

Beginning at the intersection of the northwesterly line of the right of way of the Birmingham Water Works canal with the north line of the south half (S ½) of the northwest quarter (NW ¼) of section eight (8), township seventeen (17) south, range two (2) west, on the west boundary line of said Town of Inglenook as now constituted; thence instead of northeasterly along the northwest right of way line of said canal as heretofore, run east along the north line of said south half (S ½) of said northwest quarter (NW ¼) to its intersection with the north and south center line of said section eight (8); thence south along the center line of said section to its intersection with the south boundary line of Oak Park Addition as recorded in Book of Maps, volume nine (9), page eighty-five (85), Probate Office of Jefferson County, Alabama; thence east along the south boundary line of said Oak Park Addition to its intersection with the east line of the southwest quarter (SW ¼) of the northeast quarter (NE ¼) of said section eight (8); thence south along the heretofore corporate boundary limits of said town of Inglenook so as to exclude and eliminate from said Town of Inglenook the area described as follows:

Beginning at the intersection of the northwesterly line of the right of way of Birmingham Water Works canal with the north line of the south half (S ½) of the northwest quarter (NW ¼) of section eight (8), township seventeen (17) south, range two (2) west, thence east along the north line of the said south half (S ½) of the said northwest quarter (NW ¼) to its intersection with the north and south center line of said section eight (8); thence south along the center line of said section eight (8), to its intersection with the south boundary line of said Oak Park Addition; thence east along the south boundary line of said Oak Park Addition to its intersection with the east line of the west half (W ½) of the northeast quarter (NE ¼) of said section eight (8); thence north along the east line of the west half (W ½) of said northeast quarter (NE ¼) of said section eight to the south line of section five (5), township seventeen (17) south, rang two (2) west; thence west along the south line of said section five (5) to the southwest corner of the southwest quarter (SW ¼) of the southeast quarter (SE ¼) of said section five (5); thence north along the north and south center line of said section five (5) to its intersection with the northwesterly right of way line of the Birmingham Water Works canal, thence southwesterly along the northeasterly right of way line of said canal to the point of beginning.

Section 2. That all of that territory embraced within said area heretofore described be and the same is hereby excluded and eliminated from said Town of Inglenook.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call once a week for Four consecutive weeks, commencing on Jan. 1, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 22 day of January, 1927.

Rachel Paceley,
Notary Public.

By Mr. Fite (by request):

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Judge in the Tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to-wit, from April 14th to May 25th, 1924.

Finance and Taxation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next regular session of the Alabama Legislature to be held in 1927 a bill will be introduced in substance as follows:

AN ACT

To provide for the relief of Charles E. Wilder; To pay compensation for services rendered as a special Circuit Judge in the 10th Judicial Circuit of Alabama, from the 14th day of April, 1924, to and including the 25th day of May, 1924.

Be it Enacted by the Legislature of Alabama:

Section No. 1. That whereas Charles E. Wilder was appointed by the presiding Circuit Judge of the 10th Judicial Circuit of Alabama, on the 14th day of April, 1924, as a special Circuit Judge to preside in the place of Circuit Judge Honorable Roger W. Snyder, who was ill and unable to preside over said Court in Division number 10;

That Whereas, the said Charles E. Wilder, acting under and by virtue of said appointment by said presiding Circuit Judge of the 10th Judicial Circuit of Alabama, did preside and was engaged in the actual trial of cases from the 14th day of April for a period of 30 days and ending on the 25th day of May, 1924.

Section No. 2. That for and in consideration of said services rendered by the said Charles E. Wilder, as said special Circuit Judge of the 10th Judicial Circuit of Alabama, be and he is hereby allowed compensation at the rate of $20.00 per day for 30 days for the time he served as special Circuit Judge of the 10th Judicial Circuit of Alabama, said amount being the regular pay received by Circuit Judge of the 10th Judicial Circuit of Alabama, said amount to be paid to him by warrant as other Circuit Judges of the 10th Judicial Circuit are paid.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call for Four consecutive weeks, commencing on Dec. 18, 1926.

Geo. M. Howle,
Editor The Weekly Call.

By Mr. Fite:

S. 90. Defining Co-Operative Non-Profit Life Benefit Associations with representive form of government, providing the

terms on which such associations may do business in this State, providing for the re-incorporation of such foreign associations, providing for the taxation, suits and service regulation and control of the business of such associations doing business in this State and providing the conditions under which such associations may become legal reserve life insurance companies.

Municipalities and Municipal Organizations.

By Mr. Fite:

S. 91. To amend Section 4235 of the Code of Alabama of 1923.

Revision of Laws.

By Mr. Fite:

S. 92. To amend Section 8711 of the Code of Alabama of 1923.

Judiciary.

By Mr. Fite:

S. 93. To amend Section 5539 of the Code of Alabama of 1923.

Temperance.

By Mr. Walton:

S. 94. To amend Section 318 of the School Code of Alabama.

Education.

By Mr. Mitchell:

S. 95. To create a State Service Commissioner, and to fix the duties and compensation of such Commissioner, and to make an appropriation to carry out the purpose of this Act.

Finance and Taxation.

By Mr. Stokes:

S. 96. To amend Section 8902 of the 1923 Code of Alabama.

Judiciary.

By Mr. Stokes:

S. 97. To amend Section 9028 of the Code of Alabama of 1923

Judiciary.

By Mr. Stokes:

S. 98. To amend Section 9023 of the Code of Alabama of 1923.

Judiciary.

By Mr. Ellis: (of Dallas.)

S. 99. To amend Section 1053 of the Code of Alabama, 1923

Public Health.

By Mr. Williams: (By Request.)

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration and to repeal all laws and parts of laws in conflict herewith.

Penitentiary, Prison and Prison Punishment.

By Mr. Craft:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the state having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

Judiciary.

By Mr. Craft:

S. 102. To provide for and regulate the taxation of corporations whose chief business is making loans secured by mortgages on real estate or purchasing mortgages and mortgage notes on real estate, to provide that such regulations shall apply to the year 1926 and subsequent years, and to repeal all laws in conflict therewith.

Corporations.

By Mr. Craft:

S. 103. For the preservation, protection, development and improvement of the oyster reefs and beds in the waters of Alabama; for the preservation, protection, development, encouragement, and improvement of the oyster industry in the State of Alabama; to provide for the establishment of a Board of Commissioners, to prescribe their powers and duties, to establish, locate and provide for the furnishing of its office; to regulate the manner and time, and taking and catching oysters from the public waters, and provide bedding grounds in the State; to prescribe and regulate the measure of oysters bought and sold in the shell; to prescribe license fees for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters, canned, packed, shipped, or sold, raw or cooked; to provide for the officers, employees and agents of the commission, to prescribe their duties and powers and fix their compensation; to provide for the protection and control of the oyster grounds and public waters of the State; to fix penalties for the violations of the provisions of this Act; to create a fund for moneys arising under the provisions of this Act; for the purpose of defraying the expenses of the commission; to provide for obtaining fifteen per cent of the shells produced by canning factories and from any other sources in the State, and all matters connected therewith; and generally to regulate and control the oyster industry in the State, and all matters connected therewith, and to provide for reports to be made to the commission by all persons taking, catching, or selling oysters, provided that fifteen per cent of the shells taken from the waters of Alabama, produced at canning factories and from any other source must be delivered to the Oyster ommission, and replanted to increase the production of oysters.

Fish, Game and Forestry.

By Mr. Craft:

S. 104. To provide for an Oyster Commission to consist of three members, two appointed by the Commissioner of Game and Fisheries, to be approved by the Governor, and the Commissioner of Game and Fisheries to be the third member, an ex-officio chairman, to prescribe the duties and powers of such commission, and for an office in Mobile, Alabama, for said commission to be furnished by the Board of Revenue and Road Commissioners of Moble County.

Fish, Game and Forestry.

By Mr. Carlton:

S. 105. To authorize leaves of absence of employees of the State on full pay, who are members of the American Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Legion Convention in Paris.

Military.

By Mr. Justice:

S. 106. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama, to be known as "The Caustic Alkali or Acid Act", and prescribe a punishment for the violation thereof".

Public Health.

Also:

S. 107. "To provide the means and methods of selecting medical and surgical staffs for City and Charity Hospitals and to formulate the plan of operation for said hospitals, prescribe a punishment for the violation thereof."

Public Health.

By Mr. Fite:

S. 108. To amend Section 6284 of the Code of Alabama:

Banking and Insurance.

By Mr. Fite:

S. 109. To amend Section 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State Banking Laws.

Banking and Insurance.

By Mr. Fite:

S. 110. To amend Sections 1754, 1757, 1760, 1894, 2341, and 2364 of the Code of Alabama.

Revision of Laws.

REPORTS OF COMMITTEES

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with

a favorable report, and it was read a second time and placed on the calendar, to-wit:
By Mr. Fite:

S. 72. For the protection of persons furnishing material for labor for the construction of public works and for other purposes.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Ward:

H. 18. To make an appropriation of Six Hundred Thousand ($600,000.00) Dollars, or so much thereof as may be necessary to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.
By Mr. Goodwyn:

H. 60. To provide for the expenses incurred by members of the Legislature of Alabama while in attendance upon sessions of the Legislature.
By Mr. Jones:

S. 74. To create a Commission to be known as The Alabama Muscle Shoals Commission, to provide its appointment, to define its duties and powers and to make an appropriation for its expenses.
By Mr. Goodwyn:

H. 4. To amend section 906 of the Code of Alabama of 1923.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Joint Resolution.

By Mr. Tunstall:

H. J. R. 10. Be it resolved by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet on Thursday January 27th, 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fite, the Senate concurred in and adopted H. J. R. 10, set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Joint Resolution:

By Mr. Tunstall:

H. J. R. 11. Be it resolved by the House, the Senate concurring, That the sum of one thousand dollars, or so much thereof as may be necessary, be allowed the doorkeeper of the House and the doorkeeper of the Senate to pay the expenses incurred by said doorkeepers in the furnishing of supplies and other things to the Legislature, to be paid out of the fund for the expenses of the Legislature. The State Auditor is hereby authorized and directed to draw his warrant on the State Treasury for such bills when approved for payment by the Speaker of the House or the Presiding Officer of the Senate.

And sends the same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in H. J. R. 11, set out in the foregoing message from the House.

RESOLUTIONS

Mr. James offered the following Joint Resolution:

S. J. R. 27. Whereas, it has been duly made known to the proper authorities of this State that the Secretary of War of the United States has in his possession, as trustee, certain moneys known as "Other Funds" which had been collected for their own use and benefit by certain National Guard Organizations that were broken up as units for or as the result of service in the World War, and have not been reconstituted: and

Whereas, it further appears that the Secretary of War, as trustee, desires to turn over to a substitute trustee, duly authorized by this State, such portion of the said funds as equitably belongs to the National Guard of this State.

Now, Therefore, be it resolved by the Senate, the House concurring that the Governor is hereby authorized to receive such funds as trustee, and to distribute them for the benefit of the National Guard of this State, in such manner as his judgment shall dictate.

Which was, under a suspension of the rules adopted.

Mr. Ellis of Dallas offered the following joint resolution, which was read and referred to the Standing Committee on Judiciary.

S. J. R. 28. Resolved by the Senate, the House concurring, That:

1. A joint committee from the Senate and the House of Representatives of the Legislature of Alabama is hereby created, to consist of two members from the Senate to be appointed by the Presiding Officer of the Senate, and three members from the House to be appointed by the Speaker of the House, which committee shall sit during any recess of the Legislature for the consideration of the matters and subjects hereinafter referred to. The members of the committee shall be paid the same per diem and receive the same mileage as members of the Legislature are now paid; shall have authority to employ one clerk or stenographer, who shall receive the same pay as the member of the committee; shall have power and authority to summon witnesses and call for books and papers and do and perform such other acts as may be necessary to a complete investigation, report and recommendation upon the subject hereinafter referred to.

2. The committee shall make an exhaustive investigation and a full report upon the subject of the Bond Laws of the State of Alabama, looking to a complete revision of all the laws of the State of Alabama relating to the issuance of bonds by the counties, the cities and other subordinate political subdivisions of the State, including such changes in the Constitution of Alabama as appear to the committee to be desirable or necessary to the formulation of an adequate and complete system of laws for the issuance of bonds by the governmental units hereinabove referred to.

3. The committee shall make to the Legislature a full and detailed report of its investigations, recommendations, and findings and plans pertaining to the subject aforesaid and prepare a code or a bill or bills embodying its recommendations to be introduced into the Legislature at as early a date as practicable. In its discretion the committee may cause its report to be printed as one of a series of legislative documents in an edition of not exceeding two thousand copies.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends same herewith to the Senate.

H. 9. To appropriate Five Thousand ($5,000.00) Dollars, or so much thereof as may be necessary to be paid out of the State Treasury to the State Department of Education to purchase the undisposed of copies of Mayfield's Scrap-Book on Constitutional Government, the books so purchased to be distributed, one copy each, to colleges, city and rural school libraries and one copy to

each member of the present Legislature of Alabama by the Department of Education.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate Standing Committee as follows:

H. 9, To the Committee on Finance and Taxation.

CONSIDERATION OF SPECIAL ORDERS

The Senate proceeded to consider the special orders for today, the first of which was:

S. 2. To make an appropriation of Six Hundred Thousand ($600,000.00) Dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

And said bill was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young

—32

Nays:—None.

The second special order to-wit:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 32; Nays, 0.

Yeas:
Messrs.:

Bonner	Caffey	Craft	Fite
Bradford	Carlton	Edgar	Hall
Brown	Cowan	Ellis of Dallas	Hines

Holmes	Justice	Nolen	Walker
Jack	Loflin	Oliver	Walton
Jackson	Mitchell	Stanley	Warren
James	Moore	Stokes	Williams
Jones	Nixon	Thompson	Young

—32

Nays:—None.

The third special order to-wit:

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 31; Nays, 0.

Yeas:

Messrs.:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Fite	Loflin	Thompson
Brown	Hall	Mitchell	Walker
Caffey	Hines	Moore	Walton
Carlton	Holmes	Nixon	Warren
Cowan	Jack	Nolen	Williams
Craft	Jackson	Oliver	Young
Edgar	James	Stanley	

—31

Nays:—None.

BILLS ON THIRD READING

The bills:

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

Was taken up:

Mr. Fite offered the following amendment to said bill to-wit:

Amend Section 1 and 2 so as to read as follows:

Sec. 1. The answer of the garnishee must be verified under oath within, and not more than, five days immediately before the return day of the writ of garnishment specified in the writ, and such answer must be filed not earlier than within the five days immediately before the return day of the writ, and such answer must state the amount, if any, due to defendant at the time of the service of the writ and between the date of service and the date the answer is verified, regardless of whether such debt due or money earned is by existing contract or otherwise, and the said garnishee may if requested by the plaintiff, be examined orally in the presence of the court.

Sec. 2. That the garnishee shall be required to answer as to any debt owing the defendant at the time of the service of the writ and between the time of the service and the time of the verification of the answer of the garnishee as required in Section 1 of this act, or becoming due at any time between the service and the date of the verification of such answer, whether by contract existing at the time of the service, or entered into at any time between the date of the service and the date of the verification of the answer.

Which was adopted.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young

—32

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Fite	Justice	Thompson
Brown	Hall	Loflin	Walker
Caffey	Hines	Mitchell	Walton
Carlton	Holmes	Moore	Warren
Cowan	Jack	Nixon	Williams
Craft	Jackson	Nolen	Young
Edgar	James	Stanley	

—31

Nays:—None.

The bill:

H. 5. To provide funds for the repair or improvement of the Capitol.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Committee Amendment to House Bill number 5.

Amend Section 2 of House Bill number 5, by striking out Section 2 of said bill and inserting in lieu thereof, the following:

Section 2: The funds appropriated by this Act shall be in lieu of the annual appropriation for the fiscal year 1927 as provided under Section 90 of the Code. Said funds to be payable for the purposes for which appropriation upon the order of the Governor.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Oliver
Bradford	Fite	Justice	Stanley
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walton
Carlton	Holmes	Moore	Warren
Cowan	Jack	Nixon	Williams
Craft	Jackson	Nolen	Young
Edgar	James		

—30

Nays:—None.

Mr. James offered the following amendment to said bill to-wit:

Amend House Bill 5 by adding at the end of Section 1 of said Bill the following: "And the Governor's Mansion."

"And the Governor's Mansion.

Which was adopted.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Fite	Loflin	Thompson
Brown	Hall	Mitchell	Walker
Caffey	Hines	Moore	Walton
Carlton	Holmes	Nixon	Warren
Cowan	Jack	Nolen	Williams
Craft	Jackson	Oliver	Young
Edgar	James	Stanley	

—31

Nays:—None.

And said bill as thus amended, was then read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Carlton	Ellis of Dallas	Holmes
Bradford	Cowan	Fite	Jack
Brown	Craft	Hall	Jackson
Caffey	Edgar	Hines	James

Jones	Nixon	Thompson	Warren	
Loflin	Nolen	Walker	Williams	
Mitchell	Stanley	Walton	Young	
Moore	Stokes			—30

Nays:—None.

The Bill:

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of the same.

Was read a third time at length and passed.

Yeas, 31; Nays, 0.

Yeas:

Messrs:				
Bonner	Ellis of Dallas	Jones	Stokes	
Bradford	Fite	Loflin	Thompson	
Brown	Hall	Mitchell	Walker	
Caffey	Hines	Moore	Walton	
Carlton	Holmes	Nixon	Warren	
Cowan	Jack	Nolen	Williams	
Craft	Jackson	Oliver	Young	
Edgar	James	Stanley		—31

Nays:—None.

The Bill:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay north and eastward of a line drawn from King's Bayou near Alabama port in Mobile County, Alabama, to the east end of Big Dauphin Island at Fort Gaines in said county, and to prescribe penalties for violation of this Act.

Was taken up.

Mr. Craft offered the following substitute for said bill to-wit:

A Bill to be entitled an Act to regulate the manner of the removal of oysters or other shell fish or of crustacea from the waters of the state and to prescribe penalties for violation of this act.

Be it Enacted by the Legislature of Alabama:

Section 1. That it shall be lawful to remove oysters, shell fish, or other crustacea from the waters of this State by dredge, tongs, rakes, or other appliances, except, south or southward, west or westward of a line drawn from King's Bayou near Alabama Port in Mobile county, Alabama, to the east end of Big Dauphin Island, at Fort Gaines in said county, where it shall not be lawful to catch oysters, with, or by a scoop, drag, or dredge, or by the use of any other instrument than the double rake or

oyster tongs operated by hand by the use of either handles or ropes, operated by hand power.

Section 1½. A line drawn from Alabama Port in Mobile county, to Fish River in Baldwin County, Alabama, that the taking of oysters by dredging or otherwise, is hereby prohibited for planting purposes, but said territory is expressly set aside for citizens of Alabama, engaged in taking oysters with tongs.

Section 2. In dredging for oysters no appliance shall be used that is capable of removing more than one standard barrel of oysters at one haul.

Section 2½. All persons operating dredges in the oyster industry shall pay an annual license on each dredge so operated of fifty dollars per annum to be paid to the Secretary of the Board of Oyster Commissioners at such time as may be agreed upon with said Board.

Section 3. No oysters shall be caught in any manner in the dredging territory herein prescribed, except between the hours of seven o'clock A. M. and five o'clock P. M.

Section 4. The Commissioner of Conservation, or such other authority as may be otherwise provided shall make rules, not inconsistent with the terms of this Act regulating such dredging, and may, when deemed best for the oyster industry, close certain reefs for such time as may seem advisable, and during such time no dredging shall be done on the reefs so closed. And such commissioner or other authority shall place buoys to mark the line referred to in Section One.

Section 5. The Commissioner of Conservation, or such other authority, as may be provided shall issue permits to boats to be used in dredging oysters and shall revoke same for violation of any of the provisions of this Act, or regulations governing the dredging of such oysters.

Section 6. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and on conviction shall be fined not exceeding five hundred dollars, and may also be imprisoned in the county jail for not more than six months.

Section 7. This law shall take effect upon its approval by the Governor.

On motion of Mr. Nixon said bill and the pending substitute therefore were re-referred to the Standing Committee on Fish, Game and Forestry.

The Bill:

S. 31. To amend Section 906 of the Code of Alabama of 1923.

Was read a third time at length and passed and ordered sent forthwith to the ouse without engrossment.

Yeas, 21. Nays, 8.

Yeas:
Messrs.:

Bradford	Ellis of Dallas	Jackson	Oliver
Brown	Fite	James	Stanley
Caffey	Hall	Jones	Walton
Carlton	Hines	Loflin	Williams
Craft	Holmes	Moore	Young
Edgar			

—21

Nays:
Messrs.:

Bonner	Mitchell	Nolen	Thompson
Jack	Nixon	Stokes	Warren

—8

The Bill:

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both civil and criminal, and to make an appropriation for the expense of same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 4.

Yeas:
Messrs.:

Brown	Fite	James	Stanley
Caffey	Hines	Loflin	Walker
Carlton	Holmes	Mitchell	Walton
Craft	Jack	Moore	Warren
Edgar	Jackson	Nolen	Williams
Ellis of Dallas			

—21

Nays:
Messrs.:

Brown	Nixon	Thompson	Young

—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment.

By. Mr. Tunstall:

H. 95. To fix the per diem or compensation of members of all recess committees appointed by joint resolution of the two houses or by either the House or Senate of the Legislature.

Also:

By Mr. Tunstall:

H. 96. To make an appropriation of two hundred and fifty thousand ($250,000.00) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Also:

By Mr. Tunstall:

H. 94. To amend Section 317 of the Code of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. B. 95 to the Committees on Judiciary.

H. 96. To the Committee on Finance and Taxation.

H. 94 To the Committee on Banking and Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Merrill:

H. J. R. 18. Whereas, the Federal Estate (Inheritance) Tax law, as amended February 26th, 1926, provides that the estate liable thereunder shall be credited with any inheritance tax paiid by the beneficiaries to the State, or States, the credit not to exceed eighty per cent of the Federal levy;

And whereas, this amendment menaces the rights of the States because its object is to coerce the State of Alabama and other States, having no inheritance tax law, to adopt such a tax and to persuade the States having State Inheritance Tax laws to abandon their State laws in favor of statutes based on the Federal law;

And whereas, the joint levy is contrary to the theory of this government, unprecedented and offensive to the independence of the legislatures of the sovereign States;

Therefore, be it resolved by the House, the Senate concurring, That we hereby request the present Congress to repeal immediately the Federal estate (inheritance) tax provisions of

the revenue law effective February 26th, 1926, and abandon this field of taxation in time of peace.

Be it further resolved, That certified copies of this joint resolution be forwarded to Alabama's Senators and Representatives in the Congress of the United States.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On moton of Mr. Walker, the rules were suspended and H. J. R. 18, set out in the foregoing message from the House, was concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Goodwyn:

H. J. R. 16. That whereas Section 2918 of the Code of 1923 requires that the General and Local Acts, and the joint resolutions of the Legislature be printed and bound in book form, and whereas this would entail unnecessary expense as there were only five bills and resolutions approved by the extraordinary session which convened on Dec. 28, 1926.

Now therefore be it resolved by the House, the Senate concurring, That the Secretary of State be authorized not to have bound in book form the laws of the extraordinary session of the Legislature, which convened on Dec. 28, 1926 and order that he have same bound with the laws of the regular session of the Legislature of 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 16 set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House in the presence of the House, having signed the following House Bill, your signature thereto is requested:

H. 2. To impose an excise tax, in addition to that already imposed by the Act approved February 10, 1923; on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax and distribution of the funds derived therefrom, and providing for its enforcement and fixing a penalty for the violation of any of the provisions hereof.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Patterson:

H. 73. To alter or re-arrange the boundary lines of the City of Decatur, Alabama, so as to include within the corporate limits of said City, the territory now included within the cities or towns of Albany, Alabama, and Fairview, Alabama, and other territory; and so as to exclude from the City of Decatur, Alabama, certain territory now included within the corporate limits of said City of Decatur, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the undersigned will introduce the following bill at the regular session of the legislature of the State of Alabama which convenes on January 11th, 1927.

A BILL

To be entitled an act to alter or re-arrange the boundary lines of the City of Decatur, Alabama, so as to include within the corporate limits of said city, the territory now included within the cities or towns of Albany,

Alabama, and Fairview, Alabama, and other territory; and so as to exclude from the City of Decatur, Alabama, certain territory now included within the corporate limits of said City of Decatur, Alabama.

Be it enacted by the legislature of the State of Alabama:

SECTION 1. That the boundaries of the City of Decatur, Alabama, in the County of Morgan and State of Alabama, be and the same are hereby altered and re-arranged so as to include within the corporate limits of said city, all that territory lying within the County of Morgan included within the boundaries herein set out, to-wit:

Beginning at the intersection of the west margin of 9th Avenue West with the north margin of the Moulton Pike or Public Road thence in a westerly direction along the northerly boundary of said Moulton Pike or Public Road to the center of 14th. Avenue West if extended south to said Moulton Pike or Public Road; thence in a northerly direction along the center line of 14th Avenue West if extended south to said Moulton Pike or Public Road to the intersection of the center line of said 14th. Avenue West with the center line of 1st. Street North; thence in an easterly direction along the center line of said 1st. Street North to its intersection with the center line of 13th. Avenue West; thence in a northerly direction along he center l ne of said 13th. Avenue West to the center line of 6th. Street North; thence in an easterly direction along the center line of 6th. Street North to a point which is 950 feet west from the intersection of the center line of 6th. Street North with the center line of 9th. Avenue West, measured along the center line of 6th. Street North.

All of the streets and avenues referred to above being as laid out and established by the maps of The Decatur Land, Improvement and Furnace Company on file in the off ce of the Probate Judge of Morgan County, Alabama, and being streets and avenues now located within the present corporate limits of the City of Decatur, Alabama; thence running north 23 degrees 30 minutes east for 1213 feet; thence south 66 degrees 30 minutes east to the range line between ranges 4 and 5 west; thence north along the range line for 827 feet to the northwest corner of Section 18, township 5 south, range 4 west; thence north on same range line for 3470 feet to a point 60 yards north of the low water mark on the south bank of the Tennessee River; thence in an easterly direction following the meanderings of the River and keeping 60 yards north of and parallel with the low water mark of the Tennessee River to Alabama Street, which is the east boundary line of the present City of Decatur, Alabama; thence in an easterly direction as it meanders up the Tennessee River and keeping 60 yards north of and parallel with the low water mark of the Tennessee River 7510 feet to the east boundary l ne of the present City of Albany, Alabama; thence south 31 degrees 41 minutes 10 seconds west 509.89 feet to a huckleberry tree; thence south 3 degrees 0 minutes 20 seconds east 2395 feet; thence south 85 degrees 4 minutes 10 seconds west 887.06 feet; thence south 4130.76 feet to the half section or dividing line between the north half and the south half of section 28, township 5 south, range 4 west, and which is the north boundary line of the Town of Fairview, Alabama, to a point where the center line of 5th. Street Fairview, Alabama, intersects said half section line; thence in southerly direction with the center line of said 5th. Street to the center line of South Avenue in the Town of Fairview, Alabama; thence directly west to the east margin of the Somerville Road; thence along the east margin of said Somerville Road in a northwesterly diretcion to its intersection with the south boundary line of the present City of Albany, Alabama; thence in a westerly direction to the northeast corner of the southwest fourth of section 29, ownship 5 south, range 4 west; thence in a southerly direction along the half section line between the east and west half of said section 29 for a distance of one-fourth of a mile to the south-

east corner of the northeast fourth of the southwest fourth of said section 29; thence in a westerly direction for a distance of 1351.91 feet to the southwest corner of the northeast fourth of the southwest fourth of said section 29; thence in a southerly direction for a distance of 1343.18 feet to the southeast corner of the southwest fourth of the southwest fourth of said section 29; thence in a westerly direction along the south boundary line of sction 29, township 5 south, range 4 west for a distance of 1319.96 feet to the west boundary line of said section 29; thence in a northerly direction along the west boundary line of said section 29 for a distance of 999.54 feet to the northeast corner of the Dancy 60-acre tract; thence in a westerly direction with the north boundary line of said Dancy 60-acre tract, for a distance of 2663.15 feet to the northwest corner of the Dancy 60-acre tract; thence in a southerly direction along the east boundary line of the southwest fourth of section 30, township 5south, range 4 west for a distance of 999.08 feet to the southeast corner of the southwest fourth of said section 30; thence in a westerly direction along the south boundary line of said section 30 for a distance of 662.08 feet to the southwest corner of the southwest fourth of said section 30; thence in a westerly direction along the south boundary line of section 25, township 5 south, range 5 west to the east margin of the Danville Road; thence in a northeasterly and northerly direction along the east boundary line of the said Danville Road to its intersection with the south margin of 3rd. Street South in the present City of Albany, Alabama; thence in an easterly direction with the south margin of said 3rd, Street South to the east margin of 9th. Avenue West; thence north along the east margin of 9th. Avenue West to its intersection with the north margin of the Moulton road; thence in a westerly direction to the point of beginning.

The above described territory being situated partly in Section 13 and 25, township 5 south, range 5 west, and partly in Sections 7, 16, 17, 18, 19, 20, 21, 28, 29, 30, 32 and 33 township 5 south, range 4 west, all in Morgan County, State of Alabama.

SECTION 2. That the boundaries set out in section 1 of this act, be and the same are hereby established as the corporate limits of the said City of Decatur, and the territory now included within the cities or towns of Albany and Fairview shall hereafter be and constitute a part of the City of Decatur.

SECTION 3. All laws in conflict with this act are hereby repealed.

JOHN PATTERSON.

STATE OF ALABAMA,
COUNTY OF MORGAN.

Before me, R. T. Sheppard, a Notary Public, in and for said County in said State, this day personally appeared B. C. Shelton, who being first duly sworn deposes and says that he is the principal owner and the Managing Editor of the Albany-Decatur Daily, a paper of general circulation, published in the City of Albany, County of Morgan, State of Alabama, that the above and foregoing, "Notice is hereby given that the undersigned will introduce the following Bill at the regular session of the Legislature of the State of Alabama, which convenes on January 11th, 1927", "A Bill to be entitled an Act to alter or re-arrange the boundary lines of the City of Decatur, Alabama, so as to include within the corporate limits of said City the territory now included within the Cities or Towns of Albany, Alabama, and Fairview, Alabama, and other territory; and so as to exclude from the City of Decatur, Alabama, certain territory now included within the corporate limits of said City of Decatur, Alabama," was published in the said Albany-Decatur Daily once a week for four consecutive weeks, namely; December 24th, December 31st, 1926, January 7th and January 14th, 1927, and that the above and foregoing copy of said notice and bill is an exact

copy of the same as published and appeared in said four issues of said newspaper.

B. C. SHELTON,
Managing Editor, Albany-Decatur Daily.

Subscribed and sworn to before me, this the 15th day of January 1927.

ROBERT T. SHEPPARD,
(Seal) Notary Public, Morgan County, Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate Standing Committees as follows:

H. 73. To the Committee on Municipalities and Municipal Organizations.

BILL RE-REFERRED

On motion of Mr. Fite, the bill:

S. 39. To provide for a closed season on fresh water food fishes in the State of Alabama, to provide for a day's bag limit on large and small mouth bass, commonly known as trout or green trout, and on bream and perch, to prohibit the sale of bass and bream in the State of Alabama, to prohibit the shipping, transporting, or carrying of bass and bream taken in the fresh public waters of this State to any point beyond the boundaries of the State of Alabama, to provide penalties for violations of the provisions of this act.

Was taken from today's calendar and re-referred to the Standing Committee of Fish, Game and Forestry.

BILLS ON THIRD READING RESUMED

The Bill:

S. 62. To protect and preserve the diamond backed terrapin and to impose the penalties for violation of the provisions of this Act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 0.

Yeas:
Messrs.:

Bradford	Ellis of Dallas	James	Nolen
Brown	Fite	Jones	Stokes
Caffey	Hall	Loflin	Walker
Carlton	Holmes	Mitchell	Walton
Cowan	Jack	Moore	Warren
Craft	Jackson	Nixon	Young
Edgar			

—25

Nays:—None.

The Bill:

H. 8. To repeal an act approved September 14, 1923, entitled: "An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and secondhand vehicles as herein defined; to provide for sale of vehicle with engine number altered or changed; to prescribe the powers and duties of the State Tax Commission and Probate Judges hereunder; and to provide penalties for violation of the provisions hereof."

Was taken up.

Mr. Mitchell moved that said bill be re-referred to the Standing Committee on Finance and Taxation, which motion was lost. And said bill was then read a third time at length and passed.

Yeas, 27; Nays, 4.

Yeas:				
Messrs:				
Bonner	Ellis of Dallas	Jones	Stokes	
Brown	Fite	Loflin	Thompson	
Caffey	Hall	Moore	Walker	
Carlton	Hines	Nixon	Walton	
Cowan	Holmes	Nolen	Warren	
Craft	Jack	Oliver	Young	
Edgar	James	Stanley		—27
Nays:				
Messrs:				
Bradford	Jackson	Mitchell	Williams	
				—4

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bill with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

H. M. Caffey,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and imme-

diately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing Report from Committee on Enrolled Bills.

ORDER TO PRINT

On motion of Mr. Bonner, five hundred copies of each of the following bills were ordered printed for use of the Senate:

S. 16. To further regulate the working of convicts in Alabama and provide penalties for violations of such regulations.

Also:

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Bill, H. 5. To provide funds for the repair or improvement of the Capitol.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

By Mr. James:

S. J. R. 27. Whereas, it has been duly made known to the proper authorities of this State that the Secretary of War of the United States has in his possession, as trustee, certain moneys known as "Other Funds" which had been collected for their own use and benefit by certain National Guard Organizations that were broken up as units for or as the result of service in the World War, and have not been reconstituted; and

Whereas, it further appears that the Secretary of War, as trustee, desires to turn over to a substitute trustee, duly authorized by this State, such portion of the said funds as equitably belongs to the National Guard of this State,

Now, therefore, be it resolved by the Senate, The House concurring, that the Governor is hereby authorized to receive such funds as trustee, and to distribute them for the benefit of the National Guard of this State, in such manner as his judgment shall dictate.

And returns same herewith to theSenate.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Eighth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Eighth legislative day was approved by the Senate.

ADJOURNMENT

At 4:40 P. M., on motion of Mr. James, and pursuant to resolution heretofore adopted, the Senate adjourned until Thursday morning, January 27th, at 11 A. M.

NINTH DAY

Thursday, January 27, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER.

By Rev. J. K. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—35

JOURNAL.

On motion of Mr. Fite, the reading of the Journal of yesterday was dispensed with, and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Young:

S. 111. To provide that if, upon the trial of a defendant charged with perjury, it appears that the defendant gave testimoney in a former trial or proceeding in Court it will be presumed that before such defendant gave his testimony in such former trial or proceeding, he was legally sworn or affirmed by a Court or officer authorized to administer oaths or affirmations to parties or witnesses giving testimony in such former trial or proceedings, and that the testimony of such defendant so given in such former trial or proceeding was legal and material evidence to the points or matters in issue in such former trial or proceeding.

Judiciary.

Also:

S. 112. To Define the Crime of Arson and Attempt to Commit Arson to Fix Punishment Therefor, and to Repeal All Laws and Parts of Laws in Conflict With the Provisions of This Act.

Judiciary.

By Mr. Fite:

S. 113. To amend Section 8588 of the Code of Alabama.

Revision of Laws.

Also:

S. 114. To provide for Organization, Operation and Supervision of Cooperative Savings and Credit Associations to be termer "Credit Unions" and to Define Their Powers.

Banking and Insurance.

By Mr. Stanley:

S. 115. To Amend Section 6665 of the Code of Alabama.

Judiciary.

By Mr. Stokes:

S. 116. To provide for the incorporation and powers of building and loan associations and to provide for their regulation, supervision and taxation.

Banking and Insurance.

By Mr. Stokes:

S. 117. To amend Section 4773 of the Code of Alabama of 1923.

Temperance.

By Mr. Stokes:

S. 118. To repeal Section 8598 of the 1923 Code of Alabama.

Judiciary.

By Mr. Jackson (with notice and proof):

S. 119. For the relief of John B. Laseter, of Barbour County, Alabama.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Is hereby given that a bill will be introduced in the legislature of Alabama for the relief by the Board of Revenue of Barbour County of John B. Laseter, formerly sheriff of Barbour County, for the reimbursement by said Board of said officials of certain monies paid by them into the treasury of the said county, occasioned by an omission in properly itemizing and listing certain fine and forfeiture fund script, and by reason of said omission he was required to pay to the said county the amount of the said script, which, if it had been properly listed and itemized he would have received credit therefor.

John B. Laseter.

STATE OF ALABAMA,
Barbour County.

Before me, Huey R. Lee, Judge of Probate in and for said State and County, personally appeared W. L. Gammell, who, being first duly sworn, deposes and says: that he is the Editor and Publisher of the Clayton Record, a newspaper, published at Clayton, Barbour County, Alabama, that the attached published notice of the intention to introduce a bill in the Legislature of Alabama for the relief of John B. Laseter, formerly Sheriff of Barbour County, was published in the said Clayton Record, once a week, for four consecutive weeks, viz: Dec. 24, 31, 1926, Jan. 7, 14, 1927.

W. L. Gammell,
Editor and Publisher of Clayton Record, Clayton, Alabama.

Sworn to and subscribed before me this the 25th, day of January, A. D., 1927.

Huey R. Lee,
(Seal) Judge of Probate Barbour County, Alabama.

By Mr. Craft:

S. 120. To provide for the designation, nomination, and election by number of judges in judicial circuits now or hereafter composed of one county having more than two judges and less than nine judges.

Judiciary.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young: (With Substitute.)

S. 42. To provide who may not accept employment or charge or accept compensation for services in obtaining or assisting in obtainnig pardons or paroles; to designate the place where offenders of this Act may be tried, and to prescribe the punishment for violations of this Act.

By Mr. Vickers:

H. 53. To provide for the appointment of a stenographer by each Solicitor of each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of office of said stenographer, to prescribe the duties of said stenographer, and to fix the compensation of said stenographer.

By Mr. Fite:

S. 55. To provide for the appointment of an additional assistant solicitor to be known as the second assistant solicitor for each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of said office, to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

By Mr. Craft:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the State having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

By Mr. Tunstall:

H. 95. To fix the per diem or compensation of members of all recess committees appointed by Joint Resolution of the Two Houses or by either, the House or Senate, of the Legislature.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With Notice and Proof).

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Circuit Judge in the tenth Judicial Circuit of Alabama for one (1) month and ten (10) days, to wit, from April 14th to May 25th, 1924.

By Mr. Tunstall:

H. 96. To make an appropriation of Two Hundred and Fifty Thousand ($250,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not other-

wise appropriated, to defray the expenses of the present Session of the Legislature.
By Mr. Holmes: (With Substitute.)
S. 61. To have the State of Alabama purchase from the United States Government, Fort Morgan, which is being abandoned as a fortress, and the same to be used as a recreational center and playground for the people of Alabama.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:
By Mr. Teasley: (With Amendment.)
S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such igsurance agents; and to provide penalties for violation of laws and regulations governing insurance agents.

Mr. Ellis of Shelby, Chairman of the Standing Committee on Penitentiary, Prison, Prison Punishment, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Young:
S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.
By Mr. Williams: (By Request.)
S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Fite: (By Request.) (With N. & P.)
S. 88. To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from the said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

By Mr. Fite: (By Request.) (With N. & P.)

S. 87. To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

By Mr. Oliver: (With Notice and Proof.)

S. 75. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the Roads and bridges in his district, and to fix the salary and compensation of said Commissioners.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patterson: (With Notice and Proof.)

H. 73. To alter or rearrange the boundary lines of the City of Decatur, Alabama, so as to include within the corporate limits of said city, the territory now included within the cities or towns of Albany, Alabama, and Fairview, Alabama, and other territory; and so as to exclude from the City of Decatur, Alabama, certain territory now included within the corporate limits of said City of Decatur, Alabama.

Mr. Justice, Chairman of the Standing Committee on Public Health, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 80. To amend Section 2051 of the Code of Alabama of 1923.

By Mr. Justice:

S. 106. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama, to be known as "The Caustic Alkali or Acid Act," and prescribe a punishment for the violation thereof.

By Mr. Ellis of Dallas:

S. 99. To amend Section 1053 of the Code of Alabama, 1923.

Mr. Holmes, Chairman of the Standing Committee on Fish, Game and Forestry, reported that said Committee, in Session, had acted on the following bills and ordered same returned to

the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Craft. (With Substitute.)

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay North and eastward of a line drawn from King's Bayou near Alabama Port in Mobile County, Alabama, tothe east end of Big Dauphin Island at Fort Gaines in said County, and to prescribe penalties for violation of this Act.

By Mr. Craft:

S. 103. For the preservation, protection, development and improvement of the oyster reefs and beds in the waters of Alabama; for the preservation, protection, development, encouragement, and improvement of the oyster industry in the State of Alabama; to provide for the establishment of a Board of Commissioners, to prescribe their powers, and duties, to establish, locate and provide for the furnishing of its office; to regulate the manner and time, and taking and catching oysters from the public waters, and provide bedding grounds in the State; to prescribe and regulate the measure of oysters bought and sold in the shell; to prescribe license fees for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters, canned, packed, shipped, or sold, raw or cooked; to provide for the officers, employees and agents of the Commission, to prescribe their duties and powers and fix their compensation; to provide for the protection and control of the oyster grounds and public waters of the State; to fix penalties for the violations of the provisions of this Act; to create a fund for monies arising under the provisions of this Act for the purpose of defraying the expenses of the Commission; to provide for obtaining fifteen percent of the shells produced by canning factories and from any other sources in the State, and all matters connected therewith and generally regulate and control the oyster industry in the State and all matters connected therewith and to provide for reports to be made to the Commission by all persons taking, catching, or selling oysters, provided that fifteen per cent of the shells taken from the waters of Alabama, produced at canning factories and from any other source must be delivered to the Oyster Commission, and replanted to increase the production of oysters.

By Mr. Holmes:

S. 39. To provide for a closed season on fresh water food fishes in the State of Alabama, to provide for a day's bag limit on large and small mouth bass, commonly known as trout or green trout, and on bream and perch, to prohibit the sale of bass and bream in the State of Alabama, to prohibit the shipping, transporting, or carrying of bass and bream taken in the fresh

public waters of this State to any point beyond the boundaries of the State of Alabama, to provide penalties for violations of the provisions of this Act.

By Mr. Craft (With substitute.)

S. 104. To provide for an Oyster Commission to consist of three members, two appointed by the Governor and the Commissioner of Conservation to be the third member, and Ex-officio Chairman, to prescribe the duties and powers of such Commission, and for an office in Mobile, Alabama, for said Commission to be furnished by the Board of Revenue and Road Commissioners of Mobile County.

ADVERSE REPORTS

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the adverse calendar, to-wit:

By Mr. Baldwin:

H. 11. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an Adverse report, and it was placed on the adverse calendar, to-wit:

By Mr. Tunstall:

H. 94. To amend Section 317 of the Code of Alabama.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all counties of the State of Alabama having a population of over 200,000 according to the last Federal Census.

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

Wilbur B. Nolen,
Chairman.

RESOLUTION

Mr. Nixon offered the following Senate Resolution:

S. R. 29. Resolved by the Senate that when we adjourn today, it will be until 10 o'clock A. M. tomorrow.

Which was read and referred to the Standing Committee on Rules.

BILLS RETURNED AND RE-REFERRED

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance, reported that said Committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation, to-wit:

S. 108. To amend Section 6284 of the Code of Alabama.

Also:

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State Banking Laws.

And on motion of Mr. Teasley, said bills were re-referred to the Standing Committee on Finance and Taxation.

Mr. Hall, Chairman of the Standing Committee on Agriculture, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with recommendation that it be re-referred to the Standing Committee on Judiciary, to-wit:

S. 77. To amend Section 6 of Article 34 of the Agricultural Code of Alabama.

And said bill was re-referred to the Standing Committee on Judiciary.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Joint Resolution and ordered same returned to the Senate with a favorable report to-wit:

H. J. R. 16: That Whereas, Section 2918 of the Code of 1923 requires that the general and local Acts, and the Joint Resolutions of the Legislature be printed and bound in book form; and,

Whereas, this would entail unnecessary expense, as there were only five bills and resolutions approved by the extraordinary session which convened on Dec. 28, 1926.

Now, therefore: be it Resovled by the House, the Senate concurring, that the Secretary of State be authorized not to have bound in book form the laws of the extraordinary session of the Legislature which convened on Dec. 28, 1926, an order that he have same bound with the laws of the regular session of the Legislature of 1927.

And on motion of Mr. Brown, the rules were suspended and said resolution put upon its immediate passage and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and ordered same sent forthwith to the Senate without Engrossment.
By Mr. Kirkpatrick:

H. 12. To Amend Section 7132 of the Code of Alabama 1923.
and sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 12. To the Standing Committee on Corporations.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House, having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 5. To provide funds for the repair or improvement of the Capitol.

Also:

H. J. R. 18. For Memorializing the Congress of the United States to abolish the Federal Estate Tax.

Also:

H. 8. To repeal an Act approved September 14, 1923, entitled: "An Act to protect the title of motor vehicles within this State; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second-hand vehicles as herein defined; to provide for sale of vehicle with engine number altered or changed; to prescribe the powers and duties of the State Tax Commission and Probate Judges hereunder; and to provide penalties for violation of the provisions hereof."

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and resolution the titles of which are set out in the foregoing message from the House.

RESOLUTIONS

Mr. Fite offered the following Senate Joint Resolution:

S. J. R. 30. Resolved by the Senate, the House concurring, That it is the sense of the two houses that no bills carrying appropriations or increases in salaries will be considered for passage until after the Legislature shall have recessed and re-convened and the recess committees shall have reported to their respective bodies. This resolution, however, not to apply to any bill now on the calendar of either house.

And on motion of Mr. Fite, the rules were suspended and the resolution was adopted.

Mr. Fite, also offered the following Senate Resolution:

S. R. 31. Resolved by the Senate that it is the sense of the Senate that no bills carrying appropriations or increases in salaries will be considered for passage until after the Legislature shall have recessed and re-convened and the recess committees shall have reported to their respective bodies. This resolution, however, not to apply to any bill now on the calendar.

Which was, under a suspension of the rules, adopted.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Loflin gave to the Senate the following notice in writing:

Notice is hereby given as provided in rule 48 that on the next Legislative day a motion will be made to take House Bill No. 11 from the adverse calendar, and place it on the calendar for passage.

John M. Loflin.

REPORT FROM COMMITTEE ON EDUCATION

Mr. Mitchell, Chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following appointments and ordered same returned to the Senate with a favorable report to-wit:

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

In accordance with the provisions of Section 9, Article 3—State Board of Education—as contained in the School Code of Alabama, 1924, vacancies occurring in the office of members of the State Board of Education shall be filled by appointment of the Governor, by and with the consent of the Senate:

I, therefore, report to you herewith the appointment of the following members of the State Board of Education:

D. T. McCall, Mobile, Alabama, term ending Sept. 30, 1935, for the First District.

W. L. Lee, Dothan, Alabama, term ending Sept. 30, 1935, for the Third District.

R. H. Powell, Tuskegee, Alabama, term ending Sept. 30, 1935, for the Fifth District.

Cadwallader Erwin, Greensboro, Alabama, term ending Sept. 30, 1927 for the Sixth District.

J. C. Inzer, Gadsden, Alabama, term ending Sept. 30, 1931, for the Seventh District.

Mrs. Mary T. Jeffries, Birmingham, Alabama, term ending Sept. 30, 1935, for the Ninth District.

I submit these appointments for your consideration and confirmation.

Respectfully,
Bibb Graves,
Governor.

January 20, 1927.

COMMITTEE REPORT

And on motion of Mr. Bonner, said report was concurred in and the foregoing appointments by His Excellency, the Governor, confirmed by the Senate.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Mitchell	Teasley
Bradford	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walker
Cowan	Jackson	Nolen	Walton
Craft	James	Oliver	Warren
Edgar	Jones	Smith	Williams
Ellis of Dallas	Justice	Stanley	Young
Ellis of Shelby	Loflin	Stokes	—31

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Rules Committee:

H. J. R. 19. Resolved by the House, the Senate Concurring: That there is hereby created the following recess committees or

commissions: Judiciary, Ways and Means, Educational, Good Roads, Game and Fish, Public Buildings, Agriculture, Banks, Banking and Insurance.

Resolved further, that said several committees shall each be composed of ten members from the House and four members from the Senate.

Resolved further, that the Speaker of the House shall appoint the members of each of the several committees from the House, and the Presiding Officer of the Senate shall appoint the members of each of the several committees from the Senate.

Resolved further, that the Speaker of the House and the Presiding Officer of the Senate shall each be ex-officio members of each of said several committees.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 19 set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 72. For the protection of persons furnishing material and labor for the construction of public works and for other purposes.

Was taken up.

Mr. Oliver moved that said bill be re-referred to the Committee on Revision of Laws.

Mr. Fite moved that the motion of Mr. Oliver be laid upon the table, which motion was lost.

Yeas, 14; Nays, 20.

Yeas:
Messrs:

Brown	Edgar	Jackson	Walker
Caffey	Fite	Moore	Walton
Cowan	Hines	Stanley	Williams
Craft	Jack		

—14

Nays:
Messrs:

Bonner	Holmes	Mitchell	Stokes
Bradford	James	Nixon	Teasley
Ellis of Dallas	Jones	Nolen	Thompson
Ellis of Shelby	Justice	Oliver	Warren
Hall	Loflin	Smith	Young

—20

Mr. James then moved that said bill be re-referred to the Standing Committee on Judiciary, which motion prevailed and said bill was re-referred to the Standing Committee on Judiciary.

The Bill:

H. 18. To make an appropriation of six hundred thousand ($600,000.00) dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

Was read a third time at length and passed.

Yeas, 32; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Cowan	Holmes	Moore	Walker
Craft	Jack	Nolen	Walton
Edgar	Jackson	Oliver	Warren
Ellis of Dallas	James	Smith	Williams
Ellis of Shelby	Jones	Stanley	Young

—32

Nays:—None.

The Bill:

H. 60. To provide for the expenses incurred by members of the Legislature of Alabama while in attendance upon sessions of the Legislature.

Was read a third time at length and passed.

Yeas, 25; Nays, 7.

Yeas:
Messrs.:

Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Nixon	Walker
Cowan	Holmes	Oliver	Walton
Craft	Jackson	Smith	Warren
Edgar	James	Stanley	Williams
Ellis of Dallas			

—25

Nays:
Messrs.:

Bonner	Jack	Moore	Young
Ellis of Shelby	Mitchell	Nolen	

—7

The Bill:

S. 74. To create a commission to be known as The Alabama Muscle Shoals Commission, to provide its appointment, to define

its duties and powers and to make an appropriation for its expense.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment. Yeas, 27; Nays, 1.

Yeas:
Messrs.:

Brown	Hall	Moore	Thompson
Caffey	Holmes	Nixon	Walker
Cowan	Jack	Nolen	Walton
Craft	Jackson	Oliver	Warren
Edgar	Jones	Smith	Williams
Ellis of Dallas	Loflin	Stanley	Young
Ellis of Shelby	Mitchell	Stokes	—27

Nay:—Mr. Bonner—1.

The Bill:

H. 4. To amend Section 906 of the Code of Alabama of 1923.

Was taken up.

Mr. Ellis of Shelby offered the following amendment to said bill to-wit:

Amend H. B. 4 by adding after the word "Secretary" where said word occurs in line 8 of Section 1 of the Act, the following words:

"The three members of the Alabama Public Service Commission, all Capitol employees, either Judicial, Executive, or Legislative, including all the clerks of both the House and Senate."

On motion of Mr. Fite said amendment was laid upon the table.

Said bill was then read a third time at length and passed.

Yeas, 20; Nays, 9.

Yeas:
Messrs.:

Brown	Fite	Loflin	Teasley
Caffey	Hall	Moore	Walker
Cowan	Hines	Oliver	Walton
Craft	Holmes	Smith	Williams
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:
Messrs.:

Bonner	Justice	Nixon	Stokes
Ellis of Shelby	Mitchell	Nolen	Warren
Jack			

—9

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully

examined the Journal of the Senate for the Ninth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Ninth legislative day was approved by the Senate.

ADJOURNMENT

At 1 P. M. on motion of Mr. Ellis of Dallas, the Senate adjourned until 10 o'clock A. M. to-morrow.

TENTH DAY

Friday, January 28, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER.

By Rev. Dr. Agnew of Montgomery.

ROLL CALL

Present:

Messrs:				
Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—35

JOURNAL.

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Hines.

S. 121. To amend Section 5278 of the Code of Alabama of 1923.

Judiciary.

By Mr. Loflin:

S. 122. To provide for the repeal of a stamp tax of $.30 per ton for each ton of fertilizer, fertilizer materials, or chemicals sold in this State, providing for the repeal of Section 14 of Article 16 of an Act approved September 27, 1923.

Agriculture.

By Mr. Warren:

S. 123. To amend Sections 3994, 4001, 4002, 7534, 7542, 7543, 7544, 7545, 7547, 7551, 7552, 7554, 7555, 7556, 7557, 7558, 7560, 7562, 7563, 7566, 7567, 7573, 7578, 7584, 7586, 7591, 7595, 7596, and repeal sections 7587, 7592, and 7594, of articles 1 and 2, chapter 287 of the Code, and add to article 2, chapter 127 of the Code section 4003½, said sections dealing with Workmen's Compensation Act, by further defining "wilful negligence"; increasing fees for legal services; extending scope of said articles; prohibiting waiving of compensation by employees; clarifying phraseology of said section 7547, prescribing method of election; increasing and extending benefits, modifying hernia provisions, prescribing method of determining weekly earnings, reducing waiting period; modifying procure in lump-sum settlements; authorizing review of settlements by courts on own motion; clarifying insurance features, and authorizing compensation commissioner to authorize and supervise self-insurance and approve premium rates, modifying procedure against third parties; modifying accident reporting procedure; authorizing compensation commissioner to review non-court settlements, adopt and enforce an industrial safety code, and providing funds and personnel to administer said Act; clarifying definition of "wages"; and prescribing penalties for violation of provisions of said Act.

Revision of Laws.

By Mr. Fite:

S. 124. To amend Section 6037 of the Code of Alabama of 1923.

Judiciary.

By Mr. Fite:

S. 125. To authorize and empower any political party hereafter holding a primary election under the primary election laws

of Alabama for the nomination of its candidate for Circuit Judge to sit as of course in that branch or division of the Circuit Court which is now held or may hereafter be held at a place other than at the county site for the trial of cases asising within a designated portion of such county in circuits composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such court.

Privileges and Elections.

By Mr. Warren:

S. 126. To amend Section 2938 of the Code of Alabama, 1923, relating to pensions of the widows of Confederate Soldiers and Sailors.

Finance and Taxation.

By Mr. Jones (With N. & P.)

S. 127. To amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this state; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners approved September 20th. 1923, by amending sections 3, 7, 11, 12 1-2, 14, 15 and 16, and by adding thereto section 8 1-2.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the session of the Legislature of Alabama to convene on January 11th, 1927, application will be made for passage of a law substantially as set out in the following bill, viz:

A BILL

To be entitled An Act to amend an act entitled An Act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Board of Revenue or other governing bodies of like name or authority in this state; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board or County Commissioners of a clerk, and a supervisor of Public Roads. providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act, providing for the appointment, nomination and election of said Board of Commissioners, approved September 20th, 1923, by amending sections 3, 7, 11, 12 1-2, 14, 15, and 16, and by adding thereto section 8 1-2.

Section 1. Be it enacted by the Legislature of Alabama that Section 3 of an act entitled An Act To create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said County and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this state; and to authorize said Board of County Commissioners, for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep, or other substitutes therefor, sold in the county, not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk and a supervisor of Public Roads, providing for the holding of monthly meetings of said Board of County Commissioners, and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20, 1923, be and is hereby amended so as to read as follows:

Section 3. That for the purpose of this Act and the enforcement thereof, the said County of Madison is hereby divided into five subdivisions, to be known as districts, and numbered respectively, from one to five, both inclusive.

District No. 1, shall embrace and be composed of all that territory now constituting beats or precincts numbered 14, 17, 2, 23, 12, and 11 and known respectively as Wells,, Plevna, New Market, Sulphur Springs, Hazel Green, and Meridianville.

District No. 2 shall embrace and be composed of all that territory now constituting beats or precincts numbering 15, 3, 22, and 16 and known respectively as Gurley, Maysville, Hurricane No. 1 and 2, and Deposit.

District No. 3 shall embrace and be composed of all that territory now constituting beats or precincts numbered 6, 18, 5, 13, 19, and 4, known respectively as Whitesburg, Clouds Cove, New Hope, Poplar Ridge, Owens Cross Roads and Colliers.

District No. 4 shall embrace and be composed of all that territory now constituting beats or precincts numbered 10, 9, 21, and 8, and known respectively as Madison Cross Roads, Cluttsville, Monrovia and Madison.

District No. 5 shall embrace and be composed of all that territory now constituting beats or precincts numbered 1, 7, 20, 24 and 25, and known respectively as Huntsville, Lincoln Mills, Dallas, West Huntsville and Merrimack.

Section 2. Be it further enacted, that section 7 of said act be and is hereby amended so as to read as follows:

Section 7. The Chairman of the Board of County Commissioners shall receive a salary of Twenty-five Hundred Dollars ($2,500.00) per annum payable monthly from the County Treasury and the other four members of the Board of County Commissioners shall each receive Twelve Hundred Dollars ($1200.00) per annum, payable monthly from the County Treasury.

Section 3. Be it further enacted, that said act be and is hereby amended by adding thereto Section 8 1-2 in words and figures as follows, viz:

Section 8 1-2. Each of the other members of the Board of Commissioners shall be and he is required at all times to look after and attend to the construction and maintenance of roads already established, with the culverts and bridges thereon, in the District which he is elected to represent and shall be, and he is required during the months of July, August, Steptember and October in each year, to devote his entire time and attention to the road, bridge and culvert work of the County in the District which he is elected to represent, except the days on which the Board of County Commissioners is in regular or called session; Provided, however, that if either of the members of said Board of County Commissioners shall at any time be incapacitated, or for any other reasons be unable to perform the duties required of him as herein set out, he shall be, and he is hereby required to employ a capable and experienced overseer to take charge of the work in his respective district, who is during the period of such absence or incapacitation required to perform such duties as are herein required to be performed by each member of the said Board of County Commissioners which must be done without additional cost to the County.

Section 4. Be it further enacted, that section 11 of said act be and is hereby amended so as to read as follows:

Section 11. The Board of County Commissioners may employ a competent civil engineer, who has had at least one year's experience as a highway engineer in the construction of modern roads, and shall decide the duration of such employment, and fix his compensation and prescribe his duties. The Board of County Commissioners shall have the right and power to discharge said engineer at any time, and shall not be required to give reasons therefor.

The Board may also employ a competent clerk, fix his or her duties and compensation, not to exceed the sum of $1,200.00 per annum, and shall have the right to discharge said clerk at any time they see proper without giving any reason therefor.

Section 5. Be it further enacted, that section 12 1-2 of said act be and is hereby amended so as to read as follows:

Section 12 1-2. The Board of County Commissioners may, for the purpose of maintaining the public roads, bridges and ferries of Madison Coun-

ty, impose a tax on gasoline, Woco-Pep or any substitute therefor, sold in the county, (not to exceed three cents per gallon, or may impose and collect a privilege tax of not more than three cents per gallon on gasoline,) Woco-Pep, or any substitute therefor, sold in the county, for the privilege of selling same, and may provide the machinery or rules for collection thereof; such tax or privilege tax to be levied or imposed and the money derived therefrom to be used, for the purpose of maintaining the public roads, bridges and ferries of Madison County.

Section 6. Be it further enacted, that section 14 of said act be and is hereby amended so as to read as follows:

Section 14. All persons liable for road duty are liable to work on the public roads of Madison County for a period not exceeding ten days in each road year, not counting the time spent on opening new roads, provided that a money compensation may be paid by any such person in lieu of road work, the amount of such compensation not to exceed Three ($3.00) Dollars per annum for each such person. The Board of County Commissioners shall fix the number of days of work and the amount of compensation that may be paid in lieu thereof, within the limits prescribed by this Act.

Section 7. Be it further enacted, that section 15 of said act be and is hereby amended so as to read as follows:

Section 15. Whenever the Board of County Commissioners shall fix the amount of compensation to be paid in lieu of road work, any person liable to road duty in said county may procure exemption from working the roads for that road year by paying the sum so fixed by the Board to the Chairman of the Board of County Commissioners on or pefore August 1st of the year in which he is liable to road duty, and it shall be the duty of the said Chairman of the Board of Commissioners to receive such payment and to give a receipt for same and the person holding same is required to exhibit such receipt to the person warning him for such service, in order to obtain exemption from road duty. The Board of County Commissioners shall each year on or before October 1st cause to be made out a list of all persons in each precinct who are subject to road duty.

Section 8. Be it further enacted, that section 16 of said act be and is hereby amended so as to read as follows:

Section 16. Any person who is warned to work the roads in Madison County may obtain the benefit of the aforesaid provisions for the payment of the compensation in lieu of road work by paying such amount as may be specified by the Board of County Commissioners to the Chairman of the Board of County Commissioners of Madison County on or before the 1st day of August of each year.

STATE OF ALABAMA,
Madison County.

Before me, Mary F. DeMaster, a Notary Public in and for said county in said state, this day personally appeared Charles D. Lane, who, being first duly sworn, deposes and says; I am owner and publisher of "The Community Builder," a newspaper published at Huntsville in Madison County, State of Alabama. The notice hereto attached, entitled "Notice of Proposed Legislation," relative to "A Bill to be entitled An Act to amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama," etc., was published once a week for four consecutive weeks in said newspaper in its issues dated and issued December 30th, 1926, and January 6th, 13th, 20th, and 27th, 1927.

Charles D. Lane.

Subscribed and sworn to before me this 27th day of January, 1927.

Mary F. DeMasters,
Notary Public.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With Substitute.)

S. 54. Providing for the regulation, supervision, and control of persons, firms, corporations, and associations, owning, controlling, operating, or managing motor vehicles used in the business of transporting persons, or property for compensation on the improved public highways of the State which are or may hereafter be declared to be parts of the State Highway System, or any of the County Highways, and prescribing and imposing license fees and providing for the disposition of the revenue raised by the same.

By Mr. Fite: (With Substitute.)

S. 72. For the protection of persons furnishing material and labor for the construction of public works and for other purposes.

By Mr. Williams: (With Amendments.)

S. 68. To amend Section 4039 of the Code of 1923, and to make such amendment effective as of the date of the going into effect of said Code.

By Mr. Stanley:

S. 115. To amend Section 6665 of the Code of Alabama.

By Mr. Craft:

S. 120. To provide for the designation, nomination, and election by number of judges in judicial circuits now or hereafter composed of one county having more than two judges and less than nine judges.

By Mr. Stokes:

S. 96. To amend Section 8902 of the 1923 Code of Alabama.

By Mr. Fite:

S. 81. Regulating the issuance of injunctions against municipalities of the State.

Mr. Hines, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. James: (With Notice and Proof.)

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the terms and compensations of such officers.

Mr. Mitchell, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oliver:

S. 76. To authorize and empower any State Institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance or conveyances for such purpose.

Mr. James, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Carlton:

S. 105. To authorize leaves of absence of employees of the State on full pay, who are members of the American Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Legion Convention in Paris.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Frey:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved Sept. 29, 1923.

ADVERSE REPORTS

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were placed on the adverse calendar, to-wit:

By Mr. Stokes:
S. 118. To repeal Section 8598 of the 1923 Code of Alabama.
By Mr. Fite:
S. 92. To amend Section 8711 of the Code of Alabama of 1923.
By Mr. Stokes:
S. 98. To amend Section 9023 of the Code of Alabama of 1923.
By Mr. Young:
S. 77. To amend Section 6 of Article 34 of the Agricultural Code of Alabama.
By Mr. Stokes:
S. 97. To amend Section 9028 of the Code of Alabama of 1923.
By Mr. Warren:
S. 64. To amend Section 3046 of the Code of Alabama of 1923.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported the following Resolution:

S. 32. Be it resolved by the Senate that Senate Bills Nos. 16 and 100 be the first bills called on the Calendar this date, and to be made special and continuous order.

And on motion of Mr. Brown, said report was concurred in and said resolution adopted, and said bills S. 16 and 100 made special and continuous orders for to-day.

REPORT FROM JUDICIARY COMMITTEE

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report to-wit:

S. J. R. 28. Resolved by the Senate, the House concurring, that

1. A joint committee from the Senate and The House of Representatives of the Legislature of Alabama is hereby created, to consist of two members from the Senate to be appointed by the Presiding Officer of the Senate, and three members from the House to be appointed by the Speaker of the House, which committee shall sit during any recess of the Legislature for the consideration of the matters and subjects hereinafter referred to. The members of the committee shall be paid the same per diem and receive the same mileage as members of the Legislature are

now paid; shall have authority to employ one clerk or stenographer, who shall receive the same pay as the member of the Committee; shall have power and authority to summon witnesses and call for books and papers and do and perform such other acts as may be necessary to a complete investigation, report and recommendation upon the subject hereinafter referred to.

2. The committee shall make an exhaustive investigation and a full report upon the subject of the Bond Laws of the State of Alabama, looking to a complete revision of all the laws of the State of Alabama relating to the issuance of bonds by the counties, the cities and other subordinate political sub-divisions of the State, including such changes in the Constitution of Alabama as appear to the committee to be desirable or necessary to the formulation of an adequate and complete system of laws for the issuance of bonds by the governmental units hereinabove referred to.

3. The committee shall make to the Legislature a full and detailed report of its investigation, recommendations, findings and plans pertaining to the subject aforesaid and prepare a Code or a bill or bills embodying its recommendations to be introduced into the Legislature at as early a date as practicable. In its discretion the committee may cause its report to be printed as one of a series of legislative documents in an edition of not exceeding two thousand copies.

On moton of Mr. Williams, said report was concurred in, and said resolution concurred in and adopted.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Smith
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young
Ellis of Dallas			—29

Nays:—None.

RESOLUTION

Mr. Fite offered the following Joint Resolution:

S. J. R. 33. Resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet at 2 o'clock P. M. Tuesday, February 1st, 1927.

Which was, under a suspension of the rules, adopted.

CONSIDERATION OF SPECIAL ORDERS

The Senate proceeded to consider the special orders for today, the first of which was the bill:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

Mr. Young offered the following amendment to said bill to-wit:

Amend Senate Bill No. 16 by striking from the second Section the word "March," and inserting in lieu thereof the word "December".

Which was adopted.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Brown	Hall	Loflin	Teasley
Caffey	Holmes	Mitchell	Thompson
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Ellis of Dallas	James	Oliver	Young
Ellis of Shelby	Jones	Smith	—27

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; Nay, 1.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Cowan	Holmes	Nixon	Walker
Craft	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	James	Smith	Young
Ellis of Shelby	Jones		—30

Nay:—Mr. Carlton—1.

The second special order to-wit:

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

Was taken up.

Mr. Teasley offered the following amendment to said bill to-wit:

Amend Section 4 of Senate Bill No. 100 by striking out the word "thirty" in line 6 of Section 4 of the printed bill, and insert in lieu thereof the word "ninety".

Amend, further, by adding at the end of Section 7 the following:

"Provided that convicts delivered to the State under this section who are not capable of road work shall be received and accounted for to the several counties, as provided for under Section 6 of this act."

Amend, further, by striking out the word "March" in line 16 of Section 9 of said bill, and insert in lieu thereof the word "December".

Which was adopted.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Brown	Fite	Loflin	Teasley	
Caffey	Hall	Moore	Thompson	
Carlton	Hines	Nixon	Walton	
Cowan	Holmes	Nolen	Warren	
Craft	Jack	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—31

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 32; Nay, 1.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley	
Bradford	Fite	Loflin	Stokes	
Brown	Hall	Mitchell	Teasley	
Caffey	Hines	Moore	Thompson	
Cowan	Holmes	Nixon	Walton	
Craft	Jack	Nolen	Warren	
Edgar	James	Oliver	Williams	
Ellis of Dallas	Jones	Smith	Young	
				—32

Nay: Mr. Carlton—1.

BILLS ON THIRD READING

The Bill:

S. 42. To provide who may not accept employment or charge or accept compensation for services in obtaining or assisting in

obtaining pardons or paroles; to fix the maximum amount that may be charged or received for services ordered or to be rendered in obtaining or assisting in obtaining pardons or paroles; to designate the place where offenders of this act may be tried and to prescribe the punishment for violations of this Act.

Was taken up.

The Standing Committee on Judiciary offered the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE FOR S. 42

An Act to be entitled an act to provide who may not accept employment or charge or accept compensation for services in obtaining or assisting in obtaining pardons or paroles; to designate the place where offenders of this act may be tried, and to prescribe the punishment for violations of this Act.

Be it Enacted by the Legislature of Alabama:

1. It shall be unlawful for any judge of any court in Alabama, or for any Circuit Solicitor, or his law partner, or any county or deputy solicitor, or his law partner, in Alabama, or any employee in any executive office in Alabama or any Judge or Solicitor who tried the case resulting in conviction to accept employment for the procurement of any pardon or parole of any person who has been convicted of a violation of any criminal law of this State; and it shall, also, be unlawful for any of the above named officials or persons to receive or accept any compensation of any kind, in money or otherwise, for any service rendered in the effort to procure a pardon or parole for any person who has been convicted of a violation of any criminal law in this State.

2. A prosecution for a violation of any provision of this act and a conviction for such violation may be had in any county of this State, where any act or thing is done by the offender in accepting employment, receiving compensation or rendering service or assistance in procuring, or attempting to procure, a pardon or parole for one convicted of crime.

3. Any person, who violates any provision of this act shall be punished by a fine of not more than $1,000.00, and may, also, be imprisoned in the jail of the county where the offense is committed or sentenced to hard labor for said county for not more than six months. In addition to the penalty herein prescribed for the violation of this law, any officer who shall be guilty of a violation thereof may be impeached without awaiting the institution of any criminal prosecution.

4. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Which was adopted.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Justice	Stanley
Bradford	Hines	Loflin	Stokes
Brown	Holmes	Mitchell	Thompson
Caffey	Jack	Moore	Walton
Carlton	Jackson	Nixon	Warren
Cowan	James	Nolen	Williams
Ellis of Shelby	Jones	Oliver	Young
Fite			

—29

Nays:—None.

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Smith
Bradford	Fite	Justice	Stanley
Brown	Hall	Loflin	Stokes
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Williams
Edgar	James	Oliver	Young

—32

Nays:—None.

The Bill:

H. 53. To provide for the appointment of a stenographer by each Solicitor of each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of office of said stenographer to prescribe the duties of said stenographer and to fix the compensation of said stenographer.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Mitchell	Stokes
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nolen	Walton
Carlton	Jackson	Oliver	Warren
Cowan	James	Smith	Williams
Craft	Jones	Stanley	Young
Edgar	Loflin		

—26

Nays:—None.

The Bill:

S. 55. To provide for the appointment of an additional assistant solicitor to be known as the second assistant solicitor for each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of said office, to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Holmes	Mitchell	Thompson
Carlton	Jack	Moore	Walton
Cowan	Jackson	Nixon	Warren
Craft	James	Nolen	Williams
Edgar	Jones	Smith	Young
Ellis of Dallas			—29

Nays:—None.

The Bill:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the State having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young
Ellis of Dallas	James	Smith	—31

Nays:—None.

BILLS TEMPORARILY POSTPONED

On motion of Mr. Williams, the further consideration of the bill:

H. 95. To fix the per diem or compensation of members of all recess committees appointed by Joint Resolution of the Two Houses or by either, the House or Senate, of the Legislature.

Was postponed until the next Legislative day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following resolution:

By Mr. Tunstall:

H. J. R. 21. Be it resolved by the House, the Senate concurring, that when the two Houses adourn today, they adjourn to meet on Tuesday February 1st, 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in and adopted H. J. R. 21, set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 96. To make an appropriation of Two Hundred and Fifty Thousand ($250,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present Session of the Legislature.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stanley
Bradford	Hall	Mitchell	Stokes
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walton
Carlton	Jackson	Nolen	Warren
Cowan	James	Oliver	Williams
Edgar	Jones	Smith	Young
Ellis of Dallas	Justice		—30

Nays:—None.

The Bill:

S. 89. To provide for the relief of Charles E. Wilder; to pay him compensation for services rendered the State as Special Cir-

cuit Judge in the tenth Judicial Circuit of Alabama for one (1) month and ten (10 days, to-wit, from April 14th to May 25th, 1924.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Moore	Stanley
Caffey	Holmes	Nixon	Teasley
Carlton	James	Nolen	Thompson
Craft	Jones	Oliver	Walton
Ellis of Dallas	Justice	Smith	Warren
Ellis of Shelby	Loflin		

—22

Nays:—None.

The Bill:

S. 61. To have the State of Alabama purchase from the United States Government, Fort Morgan, which is being abandoned as a fortress, and the same to be used as a recreational center and playground for the people of Alabama.

Was taken up.

The Committee on Finance and Taxation reported the following substitute for said bill to-wit:

A BILL

To be entitled An Act to have the State of Alabama negotiate the purchase from the United States Government, Fort Morgan, which is being abandoned as a fortress, and the same to be used as a recreational center and play ground for the people of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, that inasmuch as the U. S. War Department is abandoning and offering for sale, several Forts, that the Governor of Alabama is hereby authorized and directed to enter into negotiations with the United States Government for the Purchase of Fort Morgan, including all the lands owned by the U. S. Government adjacent to the Fort to be used by the people of Alabama as a recreational center and playground.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bradford	Carlton	Edgar	Hall
Brown	Cowan	Ellis of Shelby	Holmes
Caffey	Craft	Fite	Jack

James	Mitchell	Smith	Walton
Jones	Nolen	Stanley	Warren
Justice	Oliver	Teasley	Young

—24

Nays:—None.

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jackson	Oliver
Bradford	Ellis of Shelby	Jones	Smith
Caffey	Fite	Justice	Stanley
Carlton	Hall	Loflin	Stokes
Cowan	Hines	Mitchell	Thompson
Craft	Holmes	Moore	Warren
Edgar	Jack	Nixon	Young

—28

Nays:—None.

The Bill:

S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such insurance agents; and to provide penalties for violation of laws and regulations governing insurance agents.

Was taken up.

The Committee on Banking and Insurance reported the following amendment to said bill to-wit:

Amend Section 6 Senate Bill No. 29, by inserting the word "Reciprocal Exchange" immediately after the words "Insurer" where said word occurs in line 2 of said Section so as to make said section read as follows:

Section 6. The provisions of this Act shall not apply to any executive officer or traveling salaried employee of any such insurer, to any reciprocal exchange or to any fraternal societies.

Which was adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Oliver
Caffey	Fite	Justice	Smith
Carlton	Hall	Loflin	Stokes
Cowan	Hines	Moore	Teasley
Craft	Holmes	Nixon	Warren
Edgar	Jack	Nolen	Young
Ellis of Dallas	Jackson		

—26

Nays:—None.

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Justice	Stanley
Caffey	Holmes	Loflin	Stokes
Cowan	Jack	Moore	Teasley
Craft	Jackson	Nixon	Warren
Ellis of Dallas	James	Oliver	Young
Fite	Jones	Smith	—23

Nays:—None.

The Bill:

S. 88. To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from the Said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stanley
Bradford	Hines	Mitchell	Stokes
Caffey	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Dallas	Jones	Smith	Young
Ellis of Shelby	Justice		—30

Nays:—None.

The Bill:

S. 87. To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Smith
Bradford	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Thompson
Carlton	Hines	Moore	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Young
Edgar	James		

—30

Nays:—None.

BILLS TAKEN FROM ADVERSE CALENDAR AND RE-COMMITTED.

Pursuant to notice heretofore given, Mr. Loflin moved that the bill:

H. 11. To divide the State into Judicial circuits for the circuit court, to be numbered and composed of the counties named.

Be taken from the adverse calendar, which motion prevailed and said bill was taken from the adverse calendar.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	James	Smith	Young

—32

Nays:—None.

Mr. Loflin then moved that said bill be re-committed to the Standing Committee on Finance and Taxation, which motion prevailed and said bill was re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bills and sends same herewith to the Senate.

By Mr. Miller of Sumter:

H. 22. Amending Section 8777 of the Code of Alabama as approved August 17th, 1923.

By Mr. Jordan of Etowah:

H. 56. To repeal Sections Six Hundred Eighty-fivxe (685), Six Hundred Eighty-six (686) and Six Hundred Eighty-seven (687) of Article Four (4) of the Code of Alabama, 1923.

By Mr. Delony (with notice and proof):

H. 71. To repeal an Act entitled An Act to regulate the Issue of Garnishments by Justices of the Peace, and Notaries Public, with same jurisdiction and powers of a Justice of the Peace and proceedings therein when a demand owing for, or on account of personal services rendered, or to be rendered, by the defendant is sought to be subjected by process of garnishment in the Counties of Colbert and Franklin, Approved February 21, 1893, in sofar as the same relates to or affects Colbert County.

With notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notce is hereby given that application will be made to the next session of the Legislature of Alabama, which convenes in January, 1927, for the enactment of a Bill into a law substantially as follows:

A Bill To Be Entitled An Act

To repeal an act entitled An Act to regulate the issue of garnishments by Justices of the Peace and Notaries Public, with same jurisdiction and powers of a Justice of the peace and proceedings thereon when a demand owing for or on account of personal services rendered or to be rendered by the defendant is sought to be subjected to the process of garnishment in the Counties of Colbert and Franklin. Approved February 21, 1893, insofar as the same relates to or affects Colbert County.

Be it Enacted By The Legislature of Alabama:

Section 1. That an Act, entitled "An Act to Regulate the Issuance of Garnishments by Justices of the Peace and Notaries Public with same jurisdiction and powers of a Justice of the peace and proceedings thereon when a demand owing for or on account of personal services rendered or to be rendered by the defendant is sought to be subjected by process of garnishment, in the Counties of Colbert and Franklin" Approved February 21, 1893, be and the same is hereby repealed in so far as the same relates to or affects Colbert County.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

STATE OF ALABAMA,
COLBERT COUNTY.

Before me, Margaret Tompkins, a Notary Public in and for said State and County personally appeared W. F. Miller, who is known to me and who being by me duly sworn, deposes and says:

That he is the editor and publisher of the Colbert County Reporter, a newspaper published at Tuscumbia, Colbert County, Alabama, that the above and foregoing notice was published, without cost to the state, in said newspaper for four consecutive weeks and appeared in the issue of said paper on the 9th, 16th, 23rd and 30th of December, 1926.

W. F. MILLER,

Sworn to and subscribed before me this the 11th day of January, 1927.

(Seal) MARGARET TOMPKINS,
Notary Public.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. B. 22 To the Committee on Judiciary.
H. 56. To the Committee on Privileges and Elections.
H. 71 To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested:

H. 18. To make an appropriation of Six Hundred Thousand ($600,000.00) Dollars, or so much thereof as may be necessary, to the State Board of Education for the further support and maintenance of the public schools of the State in order that a minimum school term of seven months or 140 days may be provided for the current fiscal year ending September 30, 1927.

Also:

H. 4. To amend Section 906 of the Code of Alabama of 1923.

Also:

H. 60. To provide for the expenses incurred by members of the Legislature of Alabama while in attendance upon sessions of the Legislature.

Also:

H. J. R. 16. Relative to authorizing the Secretary of State to have the laws of the extraordinary session of December 1926 bound in book form with the laws of the regular session of 1927.

J. H. Stewart,
Clerk.

SIGNING OF BILL AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends same herewith to the Senate without Engrossment:

By Mr. Allen (With Notice and Proof):

H. 153. To alter and re-arrange the boundary lines of the City of Demopolis, Alabama, so as to include within the Corporate limits of said City the territory described in Section One of this Bill.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
Marengo County.

Notice is hereby given that a Local Bill wil be introduced at the coming Session of the Legislature of the State of Alabama, which convenes on the 11th day of January, 1927, for the purpose of altering and re-arranging the boundary lines of the City: of Demopolis, Alabama, said Bill being substantially in the following language.

A Bill to be Entitled an Act,

To alter and re-arrange the boundary lines of the City of Demopolis, Alabama, so as to include within the Corporate limits of said City the territory described in Section One of this Bill:

Be it enacted by the Legislature of Alabama:

Section One.

That from and after the passage of this Act the boundary lines of the City of Demopolis shall be altered and re-arranged so as to include within the Corporate limits of the City of Demopolis, Alabama, the territory hereinafter described:

Begin at a point where the North boundary line of Fulton Street in the City of Demopolis, Alabama, intersects the range line between Range Two (2) and Three (3) East; thence East 1022 feet to a point; thence South 1,870 feet to a point; thence North 86 degrees and 38 minutes East, 2,123.04 feet to a point, thence south 4,616 feet to a point; thence North 79 degrees and 51 minutes West to a point where this line intersects the North margin of what is known as the Whitfield canal, thence in a Westerly direction along the North boundary line of said Canal to a point where it intersects the South boundary line of Jackson Street in the City of Demopolis, Alabama; thence East along the South boundary line of said Jackson Street to a point South of the Southeast Corner of Lot 310 in the City of Demopolis, Alabama; thence South to the South boundary line of Section 24; thence East along said line to the Southeast Corner of said Section 24, thence North to the North boundary line of Fulton Street in the City of Demopolis, Alabama, the point of beginning.

Section Two.

Be it further enacted that the territory described in Section One be and the same is hereby included within the Corporate limits of the City of Demopolis, Alabama, a municipal corporation, in Marengo County, Alabama.

Section Three.

Be it further enacted that all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

This the 30th day of December, 1927.

N. C. FLOYD, Mayor.

STATE OF ALABAMA,
Marengo County.

Before me, Carol B. DeFeu, a Notary Public, in and for said State and County, personally appeared E. S. Cornish, who being duly sworn, doth de-

pose and say that he is the editor and publisher of the Demopolis Times, a newspaper published weekly at Demopolis, in Marengo County, Alabama; that said newspaper has a general circulation, and that the foregoing notice appeared in said paper for four consecutive weeks on the following dates, to wit: December 30th, 1926, and January 6th, January 13th and January 20th, 1927 respectively.

E. S. Cornish,

Subscribed and sworn to before me on this the 22nd day of January, 1927.

(Seal)

Carol S. DuFeu,
Notary Public, Marengo County.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 153. To the Committees on Local Legislation.

BILLS ON THIRD READING RESUMED

The Bill:

S. 75. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the Roads and bridges in his district, and to fix the salary and compensation of said Commissioners.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Hall	Loflin	Stokes
Brown	Hines	Mitchell	Teasley
Carlton	Holmes	Moore	Thompson
Cowan	Jack	Nolen	Walton
Craft	Jackson	Oliver	Warren
Edgar	James	Smith	Young
Ellis of Dallas	Jones		

—30

Nays:—None.

The Bill:

H. 43. To alter or rearrange the boundary lines of the City of Decatur, Alabama, so as to include within the corporate limits of said city, the territory now included within the cities or towns of Albany, Alabama and Fairview, Alabama, and other territory; and so as to exclude from the City of Decatur, Alabama, certain

territory now included within the corporate limits of said City of Decatur, Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Brown	Hall	Mitchell	Stokes
Caffey	Hines	Moore	Teasley
Carlton	Holmes	Nixon	Thompson
Cowan	Jack	Nolen	Walton
Edgar	Jackson	Oliver	Warren
Ellis of Dallas	James	Smith	Young
Ellis of Shelby	Jones		

—30

Nays:—None.

The Bill:

S. 80. To amend Section 2051 of the Code of Alabama of 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 19; Nays, 0.

Yeas:
Messrs:

Brown	Fite	Moore	Walton
Cowan	Hines	Nolen	Warren
Craft	Holmes	Oliver	Williams
Edgar	Jackson	Smith	Young
Ellis of Shelby	Loflin	Stanley	

—19

Nays:—None.

The Bill:

S. 106. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama. to be known as "The Caustic Alkali or Acid Act," and prescribe a punishment for the violation thereof.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bradford	Edgar	Jack	Nolen
Brown	Ellis of Dallas	Jackson	Oliver
Caffey	Hall	James	Smith
Carlton	Hines	Justice	Warren
Cowan	Holmes	Loflin	Williams
Craft			

—21

Nays:—None.

The Bill:

S. 99. To amend Section 1053 of the Code of Alabama 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 21; Nays, 4.

Yeas:			
Messrs:			
Bradford	Edgar	Jackson	Smith
Brown	Ellis of Dallas	James	Stanley
Caffey	Fite	Justice	Walton
Carlton	Hines	Loflin	Williams
Cowan	Holmes	Oliver	Young
Craft			—21
Nays:			
Messrs:			
Ellis of Shelby	Jack	Nixon	Nolen
			—4

The Bill:

S. 40. To regulate the removal of oysters by dredging or otherwise from the public reefs in Mobile Bay north and eastward of a line drawn from King's Bayou near Alabama Port in Mobile County, Alabama, to the east end of Big Dalphin Island at Fort Gaines in said County, and to prescribe penalties for violation of this Act.

Was taken up.

The Standing Committee on Fish, Game and Forestry reported the following substitute for said bill to-wit:

A Bill to be entitled an act to regulate the manner of the removal of oysters or other shell fish or of crustacea from the waters of the State and to prescribe penalties for violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That it shall be lawful to remove oysters, shell fish, or other crustacea from the waters of this State by dredge, tongs, rakes, or other appliances, except, south or southward, west or westward of a line drawn from King's Bayou near Alabama Port in Mobile County, Alabama, to the east end of Big Dauphin Island, at Fort Gaines in said county, where it shall not be lawful to catch oysters, with, or by a scoop, drag or dredge, or by the use of any other instrument than the double rake or oyster tongs operated by hand by the use of either handles or ropes, operated by hand power.

Section 1½. A line drawn from Alabama Port in Mobile county to Fish River in Baldwin county, Alabama, that the taking of oysters by dredging or otherwise, is hereby prohibited for planting purposes, but said territory is expressly set aside for citizens of Alabama, engaged in taking oysters with tongs.

Section 2. In dredging for oysters no appliance shall be used that is capable of removing more than one standard barrel of oysters at one haul.

Section 2½. All persons operating dredges in the oyster industry shall pay an annual license on each dredge so operated of fifty dollars per annum to be paid to the Secretary of the Board of Oyster Commissioners at such time as may be agreed upon with said Board.

Section 3. No oysters shall be caught in any manner in the dredging territory herein prescribed, except between the hours of seven o'clock A. M. and five o'clock P. M.

Section 4. The Commissioner of Conservation, or such other authority as may be otherwise provided shall make rules, not inconsistent with the terms of this Act regulating such dredging, and may, when deemed best for the oyster industry, close certain reefs for such time as may seem advisable, and during such time no dredging shall be done on the reefs so closed. And such commissioner or other authority shall place buoys to mark the line referred to in Section One.

Section 5. The Commissioner of Conservation, or such other authority, as may be provided shall issue permits to boats to be used in dredging oysters and shall revoke same for violation of any of the provisions of this Act, or regulations governing the dredging of such oysters.

Section 6. Any person violating any of the provisions of this Act shall be gullty of a misdemeanor, and on conviction shall be fined not exceeding five hundred dollars, and may also be imprisoned in the county jail for not more than six months.

Section 7: This law shall take effect upon its approval by the Governor.

Which was adopted.

Yeas, 29; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Dallas	Jones	Smith
Bradford	Fite	Justice	Stanley
Brown	Hines	Loflin	Stokes
Caffey	Holmes	Mitchell	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar			

—29

Nays:—None.

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hines	Mitchell	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Cowan	Jackson	Oliver	Williams
Craft	James	Smith	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

S. 103. For the preservation, protection, development and improvement of the oyster reefs and beds in the waters of Alabama; for the preservation, protection, development, encouragement, and improvement of the oyster industry in the State of Alabama; to provide for the establishment of a Board of Commissioners, to prescribe their powers and duties, to establish, locate and provide for the furnishing of its office; to regulate the manner and time, and taking and catching oysters from the public waters, and provide bedding grounds in the State; to prescribe and regulate the measure of oysters bought and sold in the shell; to prescribe license fees for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters, canned, packed, shipped, or sold, raw or cooked; to provde for the officers, employees and agents of the Commission, to prescribe their duties and powers and fix their compensation; to pro vide for the protection and control of the oyster grounds and public waters of the State; to fix penalties for the violations of the provisions of this Act; to create a fund for moneys arising under the provisions of this Act; for the purpose of defraying the expenses of the Commission; to provide for obtaining fifteen percent of the shells produced by canning factories and from any other sources in the State, and all matters connected therewith; and generally to regulate and control the oyster industry in the State, and all matters connected therewith, and to provide for reports to be made to the Commission by all persons taking, catching, or selling oysters, provided that fifteen per cent of the shells taken from the waters of Alabama, produced at canning factories and from any other source must be delivered to the Oyster Commission. and replanted to increase the production of oysters.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Brown	Fite	Loflin	Thompson
Caffey	Hines	Moore	Walton
Carlton	Holmes	Nolen	Warren
Cowan	Jack	Oliver	Williams
Craft	Jackson	Smith	Young
Edgar	James	Stanley	

—27

Nays:—None.

The Bill:

S. 39. To provide for a closed season on fresh water food fishes in the State of Alabama, to provide for a day's bag limit on large and small mouth bass, commonly known as trout or green trout, and on bream and perch, to prohibit the sale of bass and bream in the State of Alabama, to prohibit the shipping, transporting, or carrying of bass and bream taken in the fresh public waters of this State to any point beyond the boundaries of the State of Alabama, to provide penalties for violations of the provisions of this Act.

Was taken up.

Mr. Fite moved that further consideration of said bill be postponed until the fifteenth Legislative day.

Mr. Holmes moved that the motion of Mr. Fite be laid on the table, which motion prevailed and the motion of Mr. Fite was laid upon the table.

Said bill was then read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 21; Nays, 6.

Yeas:
Messrs:

Brown	Holmes	Justice	Stokes
Caffey	Jack	Loflin	Teasley
Craft	Jackson	Nixon	Walton
Edgar	James	Smith	Williams
Ellis of Dallas	Jones	Stanley	Young
Hines			

—21

Nays:
Messrs:

Carlton	Fite	Thompson	Warren
Cowan	Oliver		

—6

The Bill:

S. 104. To provide for an Oyster Commission to consist of three members, two appointed by the Governor and the Commissioner of Conservation to be the third member, and Ex-officio Chairman, to prescribe the duties and powers of such Commission, and for an office in Mobile, Alabama, for said Commission

to be furnished by the Board of Revenue and Road Commissioners of Mobile County.

Was taken up.

The following substitute was offered by the Committee on Fish, Game and Forestry.

A Bill to be entitled An Act to provide for an Oyster Commission to consist of three members, two appointed by the Commissioner of Game and Fisheries, to be approved by the Governor, and the Commissioner of Game and Fisheries to be the third member, and ex-officio chairman, to prescribe the duties and powers of such commission, and for an office in Mobile, Alabama, for said commission to be furnished by the Board of Revenue and Road Commissioners of Mobile County.

Be it Enacted by the Legislature of Alabama:

Section 1. There shall be a Board of Oyster Commissioners, to consist of three members, two of them shall be appointed each fourth year by the Commissioner of Game and Fisheries for a term of four years, to be approved by the Governor. In case of a vacancy, the Commissioner shall appoint a successor to fill the unexpired term. In making appointment the Commissioner shall select one member, who is engaged in packing and canning oysters, one who is engaged in catching oysters, but not engaged in canning or packing them, and the Commissioner of Game and Fisheries shall be Ex-Officio Chairman of the Commission.

Section 2. The Board of Oyster Commissioners shall have an official seal, and shall meet the second Mondays in January, April, July and October, and as often as the business may require, at the office of the Secretary of the Board, and the Chairman may call special meetings by giving one day's notice to each member. They shall receive and audit accounts of oysters bought and caught, of all canneries and dealers, and the accounts of all inspectors, and members of said Board, and all the expenses incident to carrying into effect the provisions of this Act; and shall see that all privilege taxes and license fees are paid and that the officers faithfully dscharge their duties, and shall hear complaints of any person aggrieved by the action of the officer. The members of said Board shall receive no compensation, but shall receive their actual traveling expenses, to be audited and allowed by the Board, on or before the first regular meeting of the Board of Oyster Commissioners herein provided, the Commissioner of Game and Fisheries shall appoint a Chief Oysters Inspector. Said Chief Oyster Inspector shall not be a member of said Board, but shall be familiar with the oyster industry. Said Chief Oyster Inspector shall not be interested in said industry as a fisher, packer or shipper. Said Chief Oyster Inspector shall receive not exceeding the sum of One Hundred and Fifty Dollars per month,

and actual traveling expenses in performing the duties of his office. He shall also act as Secretary of the Board, and shall perform all the duties that usually go with the office of the Secretaries of like bodies, to be prescribed by said Board. The Commissioner of Game and Fisheries shall also appoint deputy inspectors who shall be familiar with fishing and culling oysters, and who as well as the Chief Inspector, shall serve at the pleasure of the Commissioner of Game and Fisheries. The Board shall have its office at Mobile, which shall be provided by the Board of Revenue and Road Commissioners of Mobile County which shall be kept open at all times during business hours. They shall visit the different points where oysters are canned or shipped and aid the Inspector in enforcing the provisions of this Act; and shall receive therefor per month for the time they are engaged, such amount as shall be fixed by said Commissioner of Game and Fisheries, together with their actual traveling expensss.

Section 3. The Board of Oyster Commissioners shall provide the necessary boats to be employed by the Chief Inspector in patrolling the waters aforesaid, and all expenses therefor shall be audited and allowed by the Board of Oyster Commissioners at any regular, or any meeting called therefor.

Section 4. During the season between the 15th day of May and the 1st day of September, in each year, the Chief Inspector, under the direction and control of the Board of Oyster Commissioners shall employ boats, crews and laborers and shall dredge the oysters in Mobile Bay northward and eastward of a line drawn from King's Bayou to the east end of Big Dauphin Island and shall spread them in the public waters of this State where the oysters are too thin, and shall carry oyster shells from the factories and other sources, and spread them in places, where the oyster beds can be improved and enlarged thereby and the Board of Oyster Commissioners, in transplanting and spreading shells, may expend such sums out of the "Oyster Fund" as they may deem proper.

Section 5. All expenses of enforcing this Act, together with the salaries of the officers herein provided for, shall be paid by the State Treasurer out of the "Oyster Fund", and the warrant of the State Auditor.

Section 6. The Commissioner of Game and Fisheries shall have the power to remove any member of the Board of Oyster Commissioners for neglect of duty, or incompetency, and to appoint a successor; and the Commissioner shall have power to remove any inspector or subordinate officer for any neglect of duty or incompetency, malfeasance, or misfeasance in office, whenever the interests of the service may in his judgment, require it, and to appoint another in his stead.

Section 7. The Solicitor of Mobile County, shall be the legal advisor of said Board in all matters pertaining to this Act.

Section 8. The Board of Oyster Commissioners may make such regulations and rules, not inconsistent with the provisions of this Act, to the end that the oysters of the State may be adequately protected and the industry encouraged, and are invested with all the powers, and charged with all the duties now provided by law, and as to Commissioner of Game and Fisheries may seem proper, so far as shrimp and oysters are concerned.

Section 9. This law shall take effect upon its approval by the Governor.

Which was adopted.

Yeas, 21; Nays, 5.

Yeas: Messrs:				
Brown	Hines	Moore	Stokes	
Caffey	Holmes	Nixon	Teasley	
Cowan	Jackson	Nolen	Walton	
Craft	Jones	Smith	Williams	
Ellis of Dallas	Loflin	Stanley	Young	
Fite				—21

Nays: Messrs:				
Bonner	Jack	Oliver	Thompson	
Carlton				—5

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 4.

Yeas: Messrs.:				
Bradford	Fite	Justice	Stokes	
Brown	Hines	Loflin	Teasley	
Caffey	Holmes	Nixon	Walton	
Cowan	Jackson	Nolen	Williams	
Craft	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—23

Nays: Messrs:				
Bonner	Carlton	[illegible]	Oliver	
				—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Ward of Geneva:

H. 39. To validate and legalize elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any County in the State to levy and collect special County Tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities."

Also:

By Mr. Grove:

H. 162. To require all State and County Officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the Treasurer or such other corresponding officer in their respective counties showing moneys received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent Federal census, and to provide penalties for failure to file such reports and for filing false reports.

Also:

By Mr. Vickers:

H. 86. To change the amount, or fix the amount, of the salary or compensation of the County Treasurers of any counties in the State, having a population of not less than ninety thousand, nor more than one hundred and eighty thousand, according to the last, or to any succeeding Federal census; to provide the method and manner of its payment, and to repeal all laws, or parts of laws, general, local or special, in conflict with the provisions of this act.

Also:

By Mr. Grove (Mobile):

H. 70. To repeal an Act entitled "An Act to prescribe the duties of Sheriffs as to inferior criminal courts in all counties having a population of over eighty thousand, according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, in which the sheriff is not on a salary basis under and by virtue of a constitu-

tional amendment, and to fix the compensation of the sheriffs of such counties, as well as the compensation of the sheriffs of all other counties in which the sheriffs are now or may hereafter be required to perform for the inferior criminal courts of their respective counties the services and duties by this act specified and enumerated for sheriffs of counties having a population of over eighty thousand, for executing process out of such courts and for other services rendered in or to such courts, and to provide the method of payments and to limit the amount of fees and allowances to be paid by counties in cases wherein the fine and costs are not paid by convicted defendants, and to repeal all laws, and parts of laws, general, local, private and special in conflict herewith," approved September 29th, 1923.

Also:

By Mr. Patterson:

H. 173. To provide for and create a commission form of government in all cities of the State of Alabama and having a population of not less than one thousand nor more than twenty-five thousand by the last or any subsequent Federal Census whose corporate limits may have been or may hereafter be so altered or rearranged as to include the territory of one or more other cities and towns by any act passed by this session of the Legislature or by any act that may be passed at this or any subsequent session of the Legislature; to provide for the appointment of commissioners for such cities by the Governor and fix their terms and salaries; to confer and impose upon the commissioners so appointed all the powers conferred and imposed upon commissioners of Class D cities by Article 46 of Chapter 43 of the Code of 1923 and upon consolidated cities and towns by Article 10 of Chapter 43 of the Code of 1923 and other applicable general laws of the State; to fix the time and provide for the holding of an election as to whether such cities whose limits have been so altered or re-arranged shall return to or adopt the aldermanic form of government; to provide for the division of said cities into wards; to provide for the election by the commissioners of one or more such school boards as may be necessary to comply with the Constitution and laws of Alabama and of the United States and to confer upon such cities all such powers to impose and collect special taxes from persons and property as were possessed by either of the cities and towns so included in its new corporate limits and providing that the funds so raised by special taxation shall be apportioned and expended in the manner required by the Constitution and laws of Alabama and of the United States.

Also:

By Mr. Jordan of Washington (With notice and proof):

H. 186. To fix the salary of the Deputy Solicitor of Washington County, Alabama.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill be introduced in the next session of the Legislature:

Section 1. —That the salary of the deputy Solicitor for Washington County, Alabama, be and the same hereby is, fixed at the sum of fifteen hundred dollars ($1500) per year payable out of the County Treasury in monthly installments of one hundred and twenty-five ($125.00) dollars per month, the payment of such salary to be by warrant of the Probate Judge drawn on the Treasury of the county on the first of each month; provided however, that in case the amount of solicitor's fees paid into the county treasury during any one year shall not equal the sum of fifteen hundred ($1500) dollars the said deputy solicitor shall receive for his services only such amount as corresponds with the amount of solicitor's fees paid into the County Treasury during that year.

Section 2.—That all laws and parts of laws now in conflict with the provisions of this Act are hereby repealed.

Section 3.—The provisions of this Act shall take effect immediately upon its approval by the Governor.

STATE OF ALABAMA,
Washington County.

I, Joe M. Pelham, Jr., publisher of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the Notice of Local Bill for Deputy Solicitor as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Dec. 16, 1926, and ending with the issue dated Jan. 6, 1927. I further certify that I have the right and authority to make this affidavit.

Joe M. Pelham, Jr.

Sworn to and subscribed before me on this, the 20th day January, 1927.
Helen Smith,
Notary Public.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. 39. To the Committee on Judiciary.

H. 162 and H. 86 To the Committee on County and County Boundaries.

H. 70 To the Committee on Revision of Laws.

H. 173. To the Committee on Municipalities and Municipal Organizations.

H. 186 To the Committee on Judiciary.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Tenth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Tenth legislative day was approved by the Senate.

ADJOURNMENT

At 1 P. M. on motion of Mr. Ellis, and pursuant to Joint Resolution heretofore adopted, the Senate adourned until Tuesday, February 1st, 1927 at 2 P. M.

ELEVENTH DAY

Tuesday, February 1, 1927.

The Senate met pursuant to adjournment.

PRAYER

By Rev. Dr. McGuire of Montgomery.

ROLL CALL

Present:

Messrs:			
Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			—33

JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Ellis of Shelby, leave of absence was granted Mr. Nolen for today.

On motion of Mr. Young, leave of absence was granted Mr. Hines for today.

PRIVILEGES OF THE FLOOR

On motion of Mr. Warren, the privileges of the floor were extended to Mrs. Hall and Miss Hall, the wife and daughter of Senator Hall.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Holmes:

S. 128. To amend Section 1185 of the Code of 1923.

Revision of Laws.

By Mr. Holmes (with notice and proof):

S. 129. To fix the salary of the deputy solicitor of Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A bill to fix the salary of the Deputy Solicitor of Baldwin County, Alabama, wil be introduced at the 1927 session of the Alabama Legislature, which bill is in substance as follows:

A bill to be entitled an Act to fix the salary of the Deputy Solicitor for Baldwin County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1: That the salary of the Deputy Solicitor for Baldwin County, Alabama, be, and the same hereby is, fixed at the sum of Fifteen Hundred ($1500.00) Dollars per year, payable in monthly installments of One Hundred Twenty-five ($125.00) Dollars per month, provided, however, that the said salary shall be paid from the fees earned by such Solicitor in the County Court, and should the fees so earned in the County Court be less than the sum of Fifteen Hundred ($1500.00) Dollars per year, then the salary of the Deputy Solicitor for Baldwin County, Alabama, shall be the fees

earned in the County Court of Baldwin County, Alabama, for the calendar year.

Section 2. That all laws and parts of laws in conflict with the provisions of this act hereby are repealed.

Section 3: That this act shall go into effect immediately upon its passage and approval by the Governor.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Baldwin County.

R. B. Vail, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to fix the Salary of Deputy Solicitor of Baldwin County, Alabama was published in said newspaper for 4 consecutive weeks in the following issues:

Date of first publication: January 6, 1927, Vol. 37, No. 49.
Date of second publication: January 13, 1927, Vol. 37, No. 50.
Date of third publication: January 20, 1927, Vol. 37, No. 51.
Date of fourth publication: January 27, 1927, Vol. 37, No. 52.

Subscribed and sworn to before the undersigned this 31st day of January, 1927.

R. B. Vail,
Publisher.
Ursula Osear,
(Seal) Notary Public, Baldwin County, Alabama.

By Mr. Craft (By request):

S. 130. To provide for the giving of notices and information by the clerks and registers of the courts of the State of Alabama relative to matters in cases pending therein.

Judiciary.

By Mr. Justice:

S. 131. To amend Section 86 b of An Act approved August 22nd, 1923, entitled "An Act in reference to and to further provide for the general revenue of the State of Alabama.

Finance and Taxation.

By Mr. Fite: (N. & P.)

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the city of Birmingham, and to establish for the consummation of that purpose a court house commission; and to authorize said commission to build a court house and jail for said county, to sell and convey certain court house properties now owned by the county, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of the said commission and the powers and duties of the board of revenue and treasurer of said county, incident to the construction of said court house and jail.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the building of a court house and jail for Jefferson County, Alabama, in the City of Birmingham, and to establish for the consummation of that purpose a Court House Commission; and to authorize said Commission to build a court house and jail for said County, to sell and convey certain court house properties now owned by the County, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of said Commission and the powers and duties of the Board of Revenue and Treasurer of said County, incident to the construction of said court house and jail.

Be it enacted by the Legislature of Alabama:

1. A Commission is hereby created in Jefferson County, Alabama, to be known as "Jefferson County Court House Commission," which Commission shall be composed of five resident citizens of said county as follows: Oscar Wells, Walter E. Henley, Samuel C. King, Edward H. Cabaniss, and Morris W. Bush, and the said parties named are hereby appointed Commissioners and made members of said commission, and they and their successors shall constitute said Commission, with the rights, powers, duties and privileges herein conferred and prescribed, and shall exist until legally abolished.

2. A majority of the members of said Commission shall constitute a quorum for the transaction of business. The said Commission shall elect one member as President thereof and such officers, members or non-members of the Commission, as they see fit, and they may pass such rules, regulations and by-laws for the government of the Commission as they see fit. The Commission may organize at any time after this Act shall have become a law.

3. Any vacancy which may occur on said Commission by reason of death, resignation or failure of any Commissioner to act, or from any other cause, shall be filled by the remaining Commissioners, or a majority of such remaining Commissioners, as often as any such vacancy occurs by selecting a resident of said County as Commissioner.

4. Said Commission shall act and be held to act for Jefferson County and no member thereof shall be held personally liable for any act of said Commission, or for any act done by him as Commissioner, while acting in pursuance of the authority herein conferred, or while acting in pursuance of the directions of said Commission in pursuance of the authority herein conferred.

5. All contracts made by said Commission shall be in the name of Jefferson County by said Commission, and all transactions of said Commission under the authority herein conferred shall be in the name of the County by said Commission. Title to any property acquired under the authority herein conferred shall be taken for and in the name of said County.

6. Said Commission shall be and it is hereby authorized and empowered to construct or cause to be constructed a court house and jail for said County in the City of Birmingham, Alabama, said court house and jail to be constructed out of such material and in such manner as to size, plans, blueprints and specifications as the said Commission may deem best, said Commission

keeping in view that from time to time in the future it may be necessary to make additions to said court house and jail in order to keep pace with the growth and development of said County. Said Commission shall have the power and authority to employ such experts, architects and engineers and such labor and professional skill of all kinds as may be deemed necessary to accomplish the work and exercise the powers and rights herein conferred, and may make such contracts and agreements as may be deemed necessary to accomplish the work and exercise the powers and rights herein conferred, and may do any or all of the work necessary in the building of said court house and jail, employing such laborers and employees and buying such material as may be deemed necessary, or may let any or all of the work by contract or contracts, as the Commission may see fit, to the lowest and best responsible bidder or bidders, and with a view always to keeping the construction cost within the limits of such funds as will be available for such use by said Commission.

7. Said Commission shall have the power to acquire by gift or purchase any such lands or real estate as may be deemed necessary for the construction of said court house and jail thereon, or may build on site heretofore acquired by said County for such use, or may build on the site whereon the court house and jail are now located, or on site acquired by the Commission, and said Commission is authorized and empowered to select and designate the site on which said court house and jail shall be erected. Said Commission shall also have the power to sell or dispose of any real or personal property acquired by the Commission under the provisions of this Act, and shall have the power to sell and convey the present court house and jail site, or any part thereof, at such price and on such terms, at such time or from time to time, as the Commission may deem to the interest of said County, or to otherwise utilize it in whole or in part, as the Commission may see fit, but in event said Commission shall determine to sell the present court house and jail site, in whole or in part, then all money received from such sale shall be expended exclusively to the extent necessary, in addition to funds heretofore provided for these purposes by issue and or sale of bonds heretofore authorized for these purposes, in the construction of the new court house and jail to be erected by said Commission. In event the Commission deem it best to dispose of the present court house and jail site, the said Commission is authorized and empowered to execute the necessary deeds or other instruments of writing in the name of the County which may be necessary in order to effectuate title in the purchaser or purchasers, and may take notes secured by mortgage or deed of trust on the land sold for the unpaid balance of purchase money, if sale is made in part on time. The Commission is also authorized in like manner to sell and make proper deeds of conveyance of the court house site purchased by the Board of Revenue of said County and located in what is known as Capitol Park or Woodrow Wilson Park in said City, the funds to be used exclusively for the new court house and jail site, or they may otherwise utilize said property in such manner as the Commission may deem best. In short, the Commission is authorized and empowered to do such things as may be deemed necessary, convenient and proper for carrying out the purposes of this Act. And it shall not be necessary for the said Commission to at any time, or for any purpose, secure the approval of the presiding Judge and Solicitor of Jefferson County, or either or them, of any contract, agreement, plan or specifications, or of any other act contemplated by said Commission in furthering the work herein authorized.

8. Said Commission, as often as it makes a sale of property authorized to be sold by it under the provisions of this Act, shall make a written report of the sale to the Board of Revenue of said County, stating the property and the price at which the property is sold, and the amount of money paid to the Treasurer of the County, and said Board of Revenue shall require an ad-

ditional bond as required by law of the Treasurer as on receipt of a special fund. The official bond of said County Treasurer shall stand as security for the faithful discharge of his duty by the Treasurer in respect to all funds which shall come into his custody under the provisions of this Act the same as it secures the faithful discharge of his duties in regard to any other county funds.

9. All work let to a contractor or contractors shall be let to the lowest and best responsible bidder, after bids are advertised for in such newspaper or newspapers and for such length of time as the Commission may see fit. The Commission may reject any and all bids and the Commission shall have the exclusive right to determine who is the lowest and best responsible bidder. Said Commission shall file with the Board of Revenue of the County a statement of all bids received on each lot or parcel of work let, showing the amount of each bid and stating in the report which bid was accepted, and the Board of Revenue shall cause each and all such reports to be recorded on its records.

10. All contractors where the amount to be paid under the contract exceeds one thousand dollars shall give bond with some guaranty company as surety, to be approved by the Commission or some authorized Committee appointed by the Commission, in an amount at least one-fourth of the bid, and so conditioned as the Commission may require to secure the faithful performance of the contract.

11. Said Commission shall require the supervision engineer, architect or other person upon whose estimates and acceptance payments are made to the contractor or contractors, to execute a bond payable to said County, with some guaranty company to be approved by the Commission as surety, in a sum of not less than one-eighth of the contract let, upon which he accepts the work and gives the estimates, and so conditioned as to guarantee the honest and faithful discharge of his duties in giving estimates and accepting work.

12. Any supervision engineer, architect or other person upon whose estimates and acceptance payments are made to the contractor or contractors, who carelessly or intentionally accepts work which does not conform to the requirements of the plans and specifications, or who carelessly or intentionally gives estimates in excess of the amount for which they should be given, shall be liable in an amount three times in excess of the damage sustained by such action, which sum may be sued for and recovered by said Commission in the name of said County. And any contractor or sub-contractor who receives payments for work done knowing that such work was not done in conformity to the plans and specifications, or who receives payment on estimates which he knows to be in excess of the amount the estimates should be for, shall be liable in an amount equal to three times the damages sustained by such action, which sum may be sued for and recovered by said Commission in the name of said County.

13. No member of said Commission, and no person who has been a member of said Commission within six months from the time of the making of the contract. shall be directly or indirectly pecuniarily interested in any contract. or in the profits of any contract made by said Commission. And any and all contracts made in violation of this provision are declared to be void and against public policy, and no such contract shall be enforceable in any Court for the benefit of any person whatsoever. Any money paid to any person on such a contract as is declared void in this section may be sued for and be recovered for and in the name of said County by said Commission or the said Board of Revenue, without abatement on account of the value of any work done or material furnished under the contract.

14. No member of said Commission. and no person who has been a member of said Commission within six months from the time of making the sale,

shall be directly or indirectly pecuniarily interested in the sale of any material or supplies to said Commission, or any contractor or sub-contractor, to be used in or in the furtherance of the work of said Commission, and no suit can or shall be maintained in any court by the sellers, or by any person or corporation claiming through the sellers, for the purchase price or value of any material or supplies sold in violation of the provisions of this section. And said Commission or said Board of Revenue may in the name of said County sue for and recover from the seller the amount of all money paid such sellers for material and supplies sold in violation of the provisions of this section.

15. Said Commission shall cause to be kept full and accurate minutes of the acts and proceedings of its meetings, and shall preserve all books, plans, contracts, maps, engineers and architects reports and other papers acquired during the construction of the work herein authorized.

16. The County Treasurer of Jefferson County shall be the custodian of all money heretofore realized, or which may hereafter be realized, from the sale of any bonds heretofore authorized by special election to be issued for the purpose of erecting and constructing a court house and jail for said County; and he shall also be the custodian of any money realized from the sale of any of the property herein authorized to be sold by said Commission, when and if sold, and it shall be the duty of the Commission to pay over any and all moneys received by it to the said Treasurer within five days from the reecipt thereof.

17. It shall be the duty of the said Commission to semi-annually make to the Board of Revenue of Jefferson County a full and complete written report of its acts and doings, in which report it shall set forth a statement of all expenditures; and the County Treasurer shall also, semi-annually, make to the Board of Revenue an itemized statement of all warrants paid by him for any cost incurred in the construction of the court house and jail by said Commission; and said Board of Revenue shall cause said reports to be recorded in the records kept by said Board.

18. The expense of all construction work done by said Commission, and all costs and expense in any way connected therewith and all cost and expense incident to doing anything by the Commission authorized to be done by this Act, shall be paid out of money received from the sale of the bonds heretofore authorized by special election to be issued for the purpose of erecting and constructing a court house and jail for said county, or from the sale of any of the property herein authorized to be sold by said Commission, and shall be paid only on warrants authorized by the Board of Revenue of said County, which shall not be authorized except on the requisitions therefor drawn on said Board of Revenue by the said Commission, and it shall be the duty of the Board of Revenue of said County to authorize and cause warrants to be drawn as and when requisitions therefor are drawn by said Commission on said Board of Revenue.

19. All money remaining in the custody of the Treasurer of said County, from the sale of bonds for the erection of a court house and jail, or from the sale of any property sold under the provisions of this Act after the court house and jail herein authorized to be constructed have been completed, and after all cost and expense incident to the construction has been paid, shall be used and applied under the direction and order of the Board of Revenue of said County in taking up and paying the now existing interest bearing indebtedness of the county evidenced by warrants or bonds.

20. It shall be the duty of the Board of Revenue, on recommendation of and approval by the said Commission, to make sale of such bonds heretofore authorized by special election to be issued for the purpose of erecting and constructing a court house and jail for said County, to make sale of any unsold bonds so authorized in such amounts as the said Commission

may require, the proceeds of such sale or sales shall be turned over to the said County Treasurer as Custodian as hereinbefore specified.

21. Subject to the limitations of this Act, the said Commission is invested with any authority or power now possessed by the said Board of Revenue of Jefferson County in regard to the construction of the court houses or jails, or a court house and jail. And any such power or authority now given by law to said Board of Revenue is hereby conferred on said Commission.

22. No member of said Commission shall receive any compensation for his services.

23. No suit shall be maintained against said County for any act done or omitted by said Commission until and unless a claim therefor is filed with said Commission within ninety days from the commission or omission complained of, and in the event the said Commission declines or fails to pay such claim no suit shall be maintained thereon unless suit is filed in a Court having jurisdiction within six months from the time the claim is filed with said Commission.

24. If any section, clause or provision of this Act shall be declared unconstitutional, it shall not affect any other section, clause or provision of this Act, but the same shall remain in full force and effect.

25. This Act shall take effect immediately on its approval by the Governor.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for consecutive weeks, commencing on the 1-9

George M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public.

By Mr. Fite (With Notice and Proof):

S. 133. To appropriate the sum of Seven Thousand Five Hundred ($7,500.00) Dollars, to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who was killed while in line of duty as an employee of the State, on December 21, 1925, the said Walter S. Jernigan having met death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

Finance and Taxation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama as folows, to-wit:

Dollars to be paid to Olive Jernigan, the widow of Walter S. Jernigan, who

Notice is hereby given that the undersigned will apply to the Legislature to enact a bill to appropriate the sum of Seventy-Five Hundred ($7500.00) was killed in line of duty as an employee of the State of Alabama on December 20th, 1925, the said Walter S. Jernigan having met his death under such circumstances as that his family has no recourse at law to recover damages or compensation for his death.

This 7th day of January, 1927.

Olive Jernigan.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on January 8, 1927.

George M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public

By Mr. Fite (With N. & P.)

S. 134. For the relief of James C. Williams.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama, as follows, to-wit: A bill to be entitled an Act for the Relief of James C. Williams.

Be it enacted by the Legislature of Alabama:

1. That the Board of Revenue of Jefferson County, Alabama, is hereby authorized and directed to draw or cause to be drawn a warrant on the Treasurer of Jefferson County, in favor of James C. Williams, in the sum of $3,489.34, covering amount erroneously paid into the County Treasury of said County by said James C. Williams while acting as Clerk of Jefferson County Court of Misdemeanors, which said amount covers witnesses' fees already disbursed by said James C. Williams prior to paying the same into the County Treasury, but for which said James C. Williams failed to take reecipts from the various persons said money was paid to. And the Treasurer of Jefferson County is hereby directed and required to pay such warrant out of such funds not otherwise appropriated.

2. This act shall take effect immediately on the approval by the Governor.

STATE OF ALABAMA,
County of Jefferson

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me

first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call once a week for four consecutive weeks, commencing on January 8, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public.

By Mr. Fite:

S. 135. A Bill to be entitled An Act to propose an amendment to the Constitution of Alabama authorizing the Cities of Birmingham, Mobile and Montgomery to levy and collect a municipal purposes any rate of tax which a majority of the qualified electors of said cities voting at an election called for that purpose may authorize.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the first Monday after the expiration of three months from the final adjournment of the present regular session of the Legislature. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the Cities of Birmingham, Mobile and Montgomery are authorized to levy and collect under the Constitution as heretofore amended, each of said cities shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes any rate of tax on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of each such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of taxation at rate not to exceed per cent for the year (or years)

for the purpose or purposes hereinabove stated upon the ballot." and "against authorization of taxation at rate not to exceed..... per cent for year (or years)—for the purpose or purposes hereinabove stated upon the ballot."

The rate of taxation proposed shall be printed upon the ballot in space indicated therefor, and the year or years in which the proposed rate is to apply shall be likewise printed in the space indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held therein within one year thereafter.

This section shall be self operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each county in the State once a week for at least eight successive weeks next preceding the day hereby appointed for each election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

Yes .....

No.....

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

By Mr. Fite:

S. 136. To Amend Section 10358 of the Code of Alabama of 1923.

Public Roads and Highways.

By Mr. Fite:

S. 137. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Finance and Taxation.

By Mr. Fite:

S. 138. To provide an additional method of describing Subdivisions of Sections of land in Alabama.

Judiciary.

By Mr. Thompson (By request):

S. 139. To repeal Sections 8636 and 8637 of the Code of 1923.

Judiciary.

By Mr. Justice:

S. 140. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Finance and Taxation.

By Mr. Teasley:

S. 141. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Banking and Insurance.

By Mr. Stanley:

S. 142. To exempt certain crop production and live stock mortgages from liability for taxes, or fees.

Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee in Session had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ward (of Geneva):

H. 39. To validate and legalize elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest-bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities."

Mr. Loflin, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vickers:

H. 86. To change the amount, or fix the amount, of the salary or compensation of the county treasurers of any counties in the State, having a population of not less than ninety thousand, nor more than one hundred and eighty thousand, according to the last, or to any succeeding Federal census; to provide the method and manner of its payment, and to repeal all laws, or parts of laws, general, local or special, in conflict with the provisions of this Act.

Mr. Hall, acting Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen: (With Notice and Proof):

H. 153. To alter and re-arrange the boundary lines of the City of Demopolis, Alabama, so as to include within the Corpor-

ate limits of said City the territory described in Section One of this Bill.

Mr. Walker, Chairman of the Standing Committee on Corporations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kirkpatrick:

H. 12. To amend Section 7132 of the Code of Alabama 1923.

RESOLUTIONS

Mr. James offered the following Senate Joint Resolution:

S. J. R. 34. Resolved by the Senate, the House concurring, That the Secretary to the Governor negotiate with some person or persons, Church, Society, firm or corporation to open and operate a Cafe, Cafeteria or restaurant in or near the Capitol Building to accomodate the members and other persons in attendance upon the sessions of the Legislature of Alabama by serving them food and drinks, while the same is in session or otherwise.

Which was, under a suspension of the rules, adopted.

Mr. Craft offered the following Senate Joint Resolution, which was read and referred to the Standing Committee on Rules, to-wit:

S. J. R. 35. Whereas, the State of Alabama is vitally interested in the development and improvement of Water Transportation for slow-moving freights of all kinds, and the numerous benfits accruing therefrom, Therefore, Be it Resolved by the Senate, the House concurring,

That the State of Alabama heartily endorses and favors the project hereinafter more fully set forth,

Be it Further Resolved, That the route for the proposed Canal, or Project, shall be as follows: Beginning at Cumberland Sound, and proceding thence, via the St. aMry's River through Georgia and Florida, thence through the Okefenokee Swamp in Georgia, the Suwanee River in Florida, and Saint George's Sound, a Government Canal, now connecting the Apalachicola River with St. Andrew's Bay in Florida; St. Andrews' Bay, Choctawhatchee Bay, Santa Rosa Sound, Pensacola Bay, and Big Lagoon in Florida; Perdido Bay, Mobile Bay, Alabama, Mississippi Sound, Lake Pontchartrain, and the Industrial Canal, at New Orleans, Louisiana, to the Mississippi River, the Rivers and Harbors' Act, of January 21, 1927, having already authorized the survey to be made:

Be it further resolved, That it is the sense of the Legislature of Alabama, by the joint concurrent action of the Senate and the House, that the Intercoastal, or Inland Canal for barge line transportation, should be not less than nine feet deep, and not less than one hundred wide at the bottom, giving to the State of Alabama, as well as all the other States concerned, an outlet to all eastern markets for coal, and all other commodities, both for incoming and outgoing freights.

Be it Further Resolved, That said project is of immense value and importance, not only to Alabama, but to all the Southern States; and deserves, and should have the hearty support of all the Southern States,

Be it Further Resolved, That the Legislature of the State of Alabama, hereby puts itself on record as heartily endorsing, and approving said project,

Be it Further Resolved, That the Legislature of Alabama, by its joint action, hereby earnestly recommends this undertaking, and the carrying out of the project to completion as speedily as may be; and it hereby memorializes the Congress of the United States, to make adequate and proper appropriations as soon as said survey has been accomplished, to see that the work is done as speedily as may be,

Be it Further Resolved, That the Governor of the State of Alabama be requested to transmit copies of this Resolution to the President of the United States, and to the members of the Senate and House of Representatives from the State of Alabama.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama,
Gentlemen:

I herewith hand you a message from the Governor submitting for confirmation the name of Mr. C. Eugene Thomas as Superintendent of Banks.

Gaston Scott,
Private Secretary.

To The Senate of Alabama,
Gentlemen,

I have appointed as Superintendent of Banks Mr. C. Eugene Thomas of Prattville, and I herewith transmit you his name for confirmation or such other action as to you may seem right and proper.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Ellis of Dallas, the Senate confirmed the appointment by His Excellency, the Governor, of Mr. C. Eugene Thomas as Superintendent of Banks.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

—33

Nays:—None.

BILLS ON THIRD READING

The Bill:

S. 54. Providing for the regulation, supervision, and control of persons, firms, corporations, and associations owning, controlling, operating, or managing motor vehicles used in the business of transporting persons or property for compensation on the improved public highways of the State which are or may hereafter be declared to be parts of the State Highway System, or any of the county highways, and prescribing and imposing license fees and providing for the disposition of the revenue raised by the same.

Was taken up.

Mr. Nixon moved that the further consideration of said bill be post-poned until the next Legislative day.

Mr. Fite moved that the motion made by Mr. Nixon be laid upon the table, which motion prevailed, and said motion was laid upon the table.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

Substitute for S. 54:

A Bill to be entitled An Act to enlarge the authority powers and jurisdiction of the Alabama Public Service Commission so as to provide for the supervision, inspection and regulation by said Commission in the public interest of the operation of motor carriers and of their service, rules, regulations and practices; fares, rates, charges and facilities; franchises and licenses: to provide for the payment of supervision and inspection fees by motor carriers; to provide compensation for performance of the duties imposed upon the Commission hereunder; and to provide measures for the enforcement of the Commission's orders, and penalties for failure to comply with the orders of the Commission or with the provisions of this Act.

Be it enacted by the Legislature of Alabama:

Section 1. That in addition to any authority, powers and jurisdiction under the laws of this State now or heretofore conferred upon or exercised by the Alabama Public Service Commission, there is hereby conferred upon the Alabama Public Service Commission all the authority, powers and jurisdiction hereinafter particularly set forth:

Section 2. (a) Unless otherwise specified, the term "Motor Vehicle" when used in this act means any automobile, automobile truck, motor bus, or any other self propelled vehicle not operated or driven upon fixed rails or track.

(b) Unless otherwise specified, the term "Person", when used in this act, shall mean and include individuals, associations of individuals, firms, partnerships, companies, corporations, municipalities, governmental agencies, their lessees, trustees or receivers appointed by any court whatsoever, in the singular number as well as in the plural.

(c) Unless otherwise specified, the term "Motor Carrier" when used in this act shall mean and include every person that now or may hereafter own, lease, control or operate any motor vehicle, with or without trailer or trailers attached, upon any public highway of this State as a common carrier for the transportation of passengers or property for hire, between fixed termini, or over a regular route, even though there may be periodic or irregular departure from said termini or route.

(d) Unless otherwise specified, the term "Public Highway" when used in this act, shall mean and include every public street, road, highway or thoroughfare of any kind in this state used by the public, whether actually dedicated to the public and accepted by proper authority, or otherwise.

(e) Unless otherwise specified, the term "Commission," shall mean the Alabama Public Service Commission.

(f) Unless otherwise specified, the term "rate" when used in this act, shall mean and include, in the plural number as well as in the singular, every individual or joint rate, classification, fare, toll, charge or other compensation for services rendered, or to be rendered, by any motor carrier, and every rule, regulation, practice, act, requirement or privilege in any way relating to such rate, fare, toll, charge or other compensation, and any schedule or tariff, or part of a schedule or tariff thereof.

(g) Unless otherwise specified, the term "Service Regulation", shall mean and include every rule, regulation, practice, act or requirement in any way relating to the service or facilities of a motor carrier, and in general to the quality of service supplied.

(h) "Fixed Termini" or "Regular Route", as used herein or in any certificate issued hereunder, shall mean the termini be-

tween which or the route over which such motor carrier shall usually or ordinarily operate, though departures from such termini or route may be periodical or irregular.

Section 3. The Alabama Public Service Commission is hereby vested with power and authority, and it is hereby made its duty to supervise and regulate every motor carrier doing business in this state; to fix just, fair and reasonable rates, fares, charges, classifications, rules and regulations of each such motor carrier and to alter any such rates, rules and regulations; to regulate and supervise the accounts, service and safety of operations of each such motor carrier; to require the filing of periodical and other reports by such motor carriers; and to supervise and regulate such motor carriers in all other matters affecting the relationship between such motor carriers and the traveling and shipping public. The Commission shall have power and authority by general order, or otherwise, to prescribe rules and regulations in conformity with this act applicable to any and all such carriers; and shall have the power and authority to make orders and to prescribe rules and regulations affecting such motor carriers as may be necessary to carry out the purposes of this act.

Section 4. After three months from the going into effect of this act, no motor carrier shall operate for the transportation of persons or property for hire between fixed termini or over a regular route upon any public highway in this state without first obtaining from the Commission under the provisions of this act, a certificate to the effect that public convenience and necessity require such operation; but a certificate may be granted when it appears to the satisfaction of the Commission that such person was actually operating on January 1, 1927, over the route for which such certificate is sought, in good faith and in a manner deemed by the Commission beneficial to the public and adequate as to service, rates and the protection of the public; provided the applicant must comply with the provisions of this act. Any such rights or certificate held, owned or obtained by a motor carrier may be sold, assigned, leased, transferred or inherited as other property, and the privileges thereunder exercised, only upon authorization by the Commission. The Commission shall have power, after hearing, when the applicant requests a certificate to operate in a territory already served by a certificate holder under this act, to issue said certificate as prayed for; or, for good cause shown, to refuse to issue same, or to issue it for the partial exercise only of said privilege sought. In the issuance of any certificate of convenience and necessity under any of the provisions of this act, the Commission may, unless otherwise provided herein, grant same, with or without a formal hearing, and may prescribe such terms and conditions as in its judgment the public convenience and necessity may require.

Motor carriers must operate and furnish service in conformity with the current existing terms and provisions of their respective certificate of convenience and necessity. Such certificate shall be void unless the applicant to whom it is granted begins operations thereunder within three months from the date the certificate is issued. The Commission may adopt rules prescribing the manner and form in which motor carriers shall apply for such certificates of convenience and necessity. In addition to such other rules as may be adopted by the Commission, said application must be in writing and sworn to, and must show the following:

(a) The name and address of the applicant and full information concerning the financial condition and property of the applicant.

(b) The entire route over which the applicant desires to operate and the kind of transportation, whether passenger or freight, or both, in which the applicant proposes to engage, together with a brief description of each vehicle which the applicant intends to use, including the seating capacity, if for passenger traffic, or the tonnage capacity, if for freight traffic.

(c) Proposed time schedule.

(d) A statement showing the passenger fares or freight rates to be charged between the several points or localities to be served,

Section 5. At the time of granting a certificate of public convenience and necessity hereunder, the Commission shall determine and fix the amount of bond to be given by the applicant for such certificate for the protection, in case of passenger vehicles, of the passengers and baggage carried, and of the public, against injury proximately caused by negligence of such motor carrier, its servants or agents; and in the case of vehicles transporting freight, to secure the owner or person entitled to recover therefor, against loss or damage to such freight, and for protection of the public, against injuries proximately caused by negligence of such motor carriers, its servants or agents. It is not the purpose of this act, and it must not be given the effect of adding to or taking from the liability of any such motor carrier as a common carrier under other law of this State, and every such bond shall provide indemnity for every such injury or loss for which such motor carrier is or may be liable under the law of this State as such common carrier. Before any motor carrier begins operations under such certificate, it must file such bond with the Commission and obtain its approval thereof, which bond must be in form and amount as prescribed by the Commission, payable to the State of Alabama and executed in a surety company authorized to do business in the State of Alabama. Such bond shall

contain such conditions, provisions and limitations as the Commission may prescribe by its order and shall be for the benefit of and subject to suit or action thereon by any person who shall sustain actionable injury or loss protected thereby, notwithstanding any provision in said bond to the contrary; and every bond or insurance policy herein named, so given, shall be conclusively presumed to have been given according to and to contain all the provisions of this act. No such certificate of public convenience and necessity shall be valid and operative until such bond or insurance policy herein named has been filed with and approved by the Commission, and no such bond or insurance policy herein named, so filed and approved, shall be cancelled by the surety or company issuing the same except upon and after ten days' notice in writing to said Commission, and upon such notice being given by the surety or company issuing said bond or insurance policy, the certificate of public convenience and necessity of the person giving such bond or insurance policy shall be revoked unless a new bond or insurance policy shall be filed with and approved by the Commission before the date upon which the cancellation thereof becomes effective. The applicant for such certificate of public convenience and necessity may, in the discretion of the Commission, be allowed to file in lieu of such bond a policy of indemnity insurance in some indemnity insurance company authorized to do business in the State of Alabama, which policy must substantially conform to all the provisions hereof relating to such bond and must likewise be approved by said Commission. Every such insurance policy shall be for the benefit of and subject to action thereon by any person who shall sustain an actionable injury protected thereby, notwithstanding any provision in such insurance policy to the contrary.

Section 6. The Commission may, after notice given and hearing granted to any person to whom a certificate or convenience and necessity has been granted under this act, suspend or revoke the same for violation of this act or of any lawful order, rule or regulation of the Commission made hereunder.

Section 7. Every motor carrier doing business in this State and subject to the control and jurisdiction of the Commission shall pay as provided for herein, a fee for the inspection and supervision of such business. Such inspection and supervision fees shall be paid by such motor carriers in addition to any and all property, franchise, license, intangible and other taxes, fees and charges now or hereafter provided under the law. No similar inspection and supervision fees shall be levied or assessed by any county or municipality of this State.

Every motor carrier operating under the provisions of this act shall, between the first and fifteenth days of January, April,

July and October of each year, file with the Commission a sworn statement showing its gross operating revenues from its intrastate business for the preceding three months or portion thereof, and shall pay to the Commission a fee of one per centum of the amount of such gross operating revenue at the time said statement is filed. The percentage rate of gross operating revenue to be paid as provided herein shall, beginning with the year 1928, be subject to future adjustment by the Commission, which percentage, not exceeding one per centum, shall be fixed by the Commission by general order duly entered at the beginning of each year or at the beginning of any quarter. In prescribing such rate, the Commission, shall, according to its best judgment, fix the same, as far as it is practicable to do so, so that the fund derived therefrom shall be neither more nor less than sufficient to cover the cost of supervising and regulating motor carriers operating under the provisions of this act.

Any motor carrier failing, in whole or in part, to pay any supervision or inspection fee, or part thereof, due by it within any of the time herein prescribed for the payment of the same, shall be in default and shall be liable to a penalty of not exceeding five doilars per day, to be recovered by suit of the state for every day it thereafter remains in default, and such penalty may be recovered, together with the supervision and inspection fee in default, in a single action. The State shall have a lien upon all the property in this state of any motor carrier for the payment of the supervision and inspection fees provided by this act to be paid, and the penalties in this section provided for, which lien shall be superior to all other liens, except the lien for state, county and municipal taxes.

Miscellaneous fees shall be paid hereunder to the Commission as follows:

Each application for a certificate of public convenience and necessity shall be accompanied by an application fee determined on the following basis, namely:

(a) A fee of ten dollars for each motor vehicle used by such motor carrier for the transportation of persons for hire. For every such motor vehicle having a passenger seating capacity exceeding eight persons, an additional fee shall be so paid computed on the basis of fifty cents per passenger capacity for such additional seating capacity.

(b) For every motor vehicle used by any such motor carrier for the transportation of property for hire, the motor carrier shall pay a fee of ten dollars and if the rated capacity of any such vehicle exceeds three tons, an additional fee of one dollar for each additional rated ton capacity shall be paid.

(c) For each motor vehicle used by any such motor carrier for transportation of both persons and property the fee shall be

computed on the basis of either passenger or tonnage capacity and the basis which shall yield the larger amount will apply.

Application for transfer mortgage or pledge of a certificate of public convenience and necessity.....$5.00

Application for the issuance of a duplicate certificate of public convenience and necessity.....$3.00

For copy of any record or part thereof, of the Commission, pertaining to motor carriers, per one hundred words or portion thereof $00.15

In case of special or temporary demand for transportation of passengers or property for limited periods, the fees for inspection and supervision or those required to accompany application for certificate of public convenience and necessity, may be fixed by the Commission in such reasonable amount, differing from those herein fixed, as may be prescribed by general rule or special order; provided, however, all fees prescribed under this act shall apply in case of such special or temporary demands until otherwise ordered by the Commission. All amounts collected hereunder shall be paid by the Commission into the State Treasury within thirty days after their receipts and shall be kept separate and apart from all other funds by the State Treasurer in a fund to be known as the "Motor Carrier Fund," and shall be used only for the purpose of payment of expenses incurred under the provisions of this act, except as may otherwise be provided by law.

Section 8. The Commission may, upon consultation with and approval by the Governor, appoint or employ such additional employees as it may deem necessary or expedient to carry out the provisions of this act, or to perform the duties and exercise the powers conferred by law upon the Commission. Provided, however, the Commission shall, as far as practicable, carry out the provisions of this act by the use of persons employed by it in the regulation of public utilities and transportation companies. All such additional employees shall receive compensation to be fixed by the Commission, subject to the approval of the Governor. The Commissioners and such employees shall have reimbursed to them all actual and necessary traveling and other expenses and disbursements necessarily incurred or made by them in the discharge of their official duties. The Commission may also incur necessary expense for office furniture, stationery, printing, and additional expenditures necessary or incidental to the performance of their duties hereunder. All money paid out under the provisions of this section shall be paid out of the State Treasury on warrants drawn by the State Auditor on the State Treasurer and approved by the Governor.

Section 9. The expenses incurred under the provisions of this act, when certified by the Commission or its president, and

approved by the Governor, shall be paid on warrant drawn by the proper officer in pursuance hereof only out of monies in the State Treasury to the credit of the said "Motor Carrier Fund."

Section 10. Neither this act nor any provisions hereof shall apply or be construed to apply to any of the following:

(a) Motor vehicles used exclusively to convey passengers to and from schools, churches, or religious services of any kind, or to or from picnics, or upon special pre-arranged excursions:

(b) To United States mail carriers operating star routes;

(c) To motor vehicles used in transporting livestock or any farm or dairy products from the place of production to market;

(d) To any motor vehicles used in collecting dairy products from the producer;

(e) Taxicabs, hotel busses;

(f) Busses or trucks of transfer companies, operating wholly within any incorporated city or town of the state, and not following fixed routes nor operating between fixed termini.

Section 11. If any motor vehicle shall be operated over any public highway of this state in such manner as to come into competition with any motor carrier operating under a certificate issued by the Commission, or with any other common carrier, whether such motor vehicle is operated between fixed termini or over a regular route, or not, the Commission may investigate the operation of such motor vehicle and if, upon investigation, the Commission finds that such motor vehicle is being operated in competition with any such motor carrier or other common carrier, and that the operator thereof is in substance a common carrier, the Commission may order the operator of any such motor vehicle to cease and desist from such operation, or the commission may require the operator of such motor vehicle to apply for and obtain a certificate of convenience and necessity hereunder before such motor vehicle shall be allowed to continue such operation. Any certificate of convenience and necessity issued to the operator of such motor vehicle shall be subject to all the terms and provisions of this act, and the operator thereof motor vehicle shall be subject to all the terms and provisions of this act, and the operator thereof shall thereafter be deemed a motor carrier and subject to the provisions of this act.

Section 12. Every motor carrier shall keep attached to each motor vehicle operated under the provisions of this act, such distinctive markings or tag as shall be prescribed by the commission, and shall maintain each such motor vehicle in good operating condition.

Section 13. When a person is engaged in business, a portion of which business is private business and a portion of which is the business of a motor carrier, the authority, powers and juris-

diction of the commission conferred upon it by law shall not be deemed to apply to and shall not be exercised with respect to that portion of said business which is a private business, but shall extend to that portion of said business to which this act is applicable.

Section 14. Every motor carrier shall file with the Commission, within sixty days from the going into effect of this act, schedules showing its routes and the termini thereof, its rates, and service regulations in force for any services performed by it within the State.

Section 15. Whenever a motor carrier desires to put in operation a new rate or service regulation or to change any existing rate or service regulation, it shall file with the commission a new schedule embodying the same, not less than thirty days prior to the time it desires to make the same effective; provided that the Commission may, upon application of the motor carrier, prescribe a less time within which the same may be made effective. In the absence of suspension or disapproval by the Commission, as herein provided, the new rate or service regulation embodied in any such new schedule shall become effective at the time specified in such schedule, subject however, to the power of the Commission at any time thereafter, to take any action respecting the same authorized by this act.

Section 16. To enable it to make such investigation as, in its opinion, the public interest requires, the commission in its discretion, for a period not exceeding sixty days, may suspend the operation of any new schedule of rates or service regulations filed with the commission. Unless as a result of its investigation, the commission otherwise orders before the termination of such period of sixty days, such rate or service regulation shall thereupon become effective. The commission may make any order in the premises which it is authorized by any of the provisions of this act to make in any investigation or complaint, or on its own motion without complaint.

Section 17. Upon a complaint made against any motor carrier, by any person that any rate, service, regulation, classification, practice or service in effect or proposed to be made effective is in any respect unfair, unreasonable, unjust or inadequate, or unjustly discriminatory, or unduly preferential, or constitutes unfair competition, or that the service is inadequate or cannot be obtained, the commission shall proceed and without such complaint, the commission, whenever it deems that the public interest so requires, may proceed after notice as hereinafter provided, to make such investigation as it may deem necessary or appropriate; but no order affecting such rates, service regulation, classification, practice or service complained of shall be entered

by the commission without notice and a hearing. Any motor carrier may make complaint as to any matter within the provisions of this act with like effect as though made by any other person.

Section 18. Whenever the commission shall determine to conduct an investigation, either upon or without complaint, as in this act provided for, it shall fix a time and place for public hearing of the matters under investigation. Before proceeding to make such investigation. the commission shall give the motor carrier and the complainant at least ten days' notice of the time and place when and where such matters will be considered and determined, and all parties shall be entitled to be heard, through themselves or their counsel and shall have process to enforce the attendance of witnesses. At the hearing held pursuant to such notice the commission may take such testimony as may be offered or as it may desire, and may make such other and further investigation as in its opinion is desirable.

Section 19. If, upon such investigation and hearing, the commissioner shall find that any rate, service regulation, classification, practice or service is unfair, unreasonable, unjust or inadequate, or unjustly discriminatory, or unduly preferential, or unfairly competitive, or that the service is indaequate, or cannot be obtained, it may fix and order substituted therefor such rates, service, regulation, classification, practice or service as it shall determine to be just, reasonable, fair and adequate, and if the findings of the commission be that the rate, service, regulation, classification, practice or service investigated by it be just, reasonable, fair and adequate it shall enter an order approving same. Any such orders shall be final orders within the meaning of this act.

Section 20. Whenever after investigation in accordance with the provisions of this act, the commission shall be of the opinion that any provision or requirement of this act, or any order of the commission is being, has been or is about to be violated, it may make and enter of record an order in the premises, specifying the actual or proposed acts or omission to act which constitute such real or proposed violation and requiring that such violation be discontinued or rectified, or both, or that it be prevented. No order, however, shall be made by the commission affecting any rate or service except as otherwise specifically provided, unless or until a public hearing has been held in accordance with the provisions of this act.

Section 21. It shall be unlawful, except as herein otherwise provided, for any motor carrier to charge, demand, collect or receive a greater or less rate for any service performed by it within the state, or for any service in connection therewith than is

specified in such schedule of rates and service regulations as may at the time be in force, or to demand, collect, or receive any rate not specified in such schedule of rates and service regulation. The rates and service regulations specified in such schedule shall be the lawful rates and service regulations until the same are changed as provided in this act; nor shall any person, except as herein otherwise provided, receive or accept any service from a motor carrier for a rate greater or less than that prescribed in such schedules.

Section 22. The Commission, by order, may require any motor carrier, or any officer or agent thereof, to produce within the state at such reasonable time and place as it may designate, any books, records, accounts or documents kept in any office or place without or within the State, or certified copies thereof, whenever the production thereof is reasonably required and pertinent to any matter before the Commission, in order that an examination thereof may be made by the Commission, or by any person employed by the Commission.

Section 23. Every motor carrier doing business within the State shall maintain an office located in the state, in which shall be kept such books of account and such record of the business done in this state as the Commission shall require to be kept in the State.

Section 24. Every motor carrier shall keep its books, papers and records accurately and faithfully according to the system of accounts and regulations prescribed by the Commission and shall comply with all reasonable directions of the Commission relating thereto.

Section 25. The Commission shall also examine and inspect or cause to be examined and inspected, at reasonable times and in a reasonable manner, under its authority, the books, records, accounts, motor vehicles and facilities of any motor carrier insofar as the same may be pertinent to any matter before the Commission; provided, that any person shall produce, then so required, his authority from the Commission, under the seal of the Commission, to make such examination or inspection.

Section 26. Motor carriers operating within this state may grant special or reduced rates to all pupils attending schools on or near their routes, for transportation between their homes and such schools; provided, however, that if special or reduced rates are granted under the provisions of this act, said motor carriers shall file with the Commission a statement setting forth the terms and conditions upon which they grant such special or reduced rates. All motor carriers may grant free transportation or transportation at reduced rates to such other persons as are now or may hereafter be authorized by law to receive same and may

grant free transportation, or transportation at reduced rates to their officers, agents, atorneys, or employees and their families and may exchange the same with other motor carriers.

Section 27. No motor carrier shall abandon all or any portion of its service to the public, except for causes beyond its control, unless and until application is first made to the Commission for the issuance of a certificate that the present or future public convenience or necessity permits of such abandonment, and the issuance of such a certificate. Upon the presentation of such application the Commission, with or without a public hearing, may or may not, in its discretion, issue such certificate.

Section 28. Whenever the Commission shall make any order or determination, or issue any subpoena, notice or writ, notice thereof may be served on the person affected thereby, by delivering a copy of such order, subpoena, notice or writ, signed by or in the name of the president of the Commission, to any such person or an officer or agent of such person, if a corporation, as in the case of civil process, which service may be executed by any member of the Commission. the secretary or any employee thereof, or by any sheriff of the State, and a copy of such order, subpoena, notice or writ, with the service endorsed thereon, must be returned to the Commission and entered of record as a part of the proceedings and such endorsement and return shall be prima facie evidence that such order, subpoena, notice or writ has been duly served.

Section 29. Each of the Commissioners, for the purposes mentioned in this act, and in all hearings before the commission, may administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and the production of books and papers.

Section 30. In case of failure or refusal on the part of any person to comply with any order of the commission or of any commissioner, or any subpoena, or on the refusal of any witness to testify or answer as to any matter regarding which he may be lawfully interrogated, any circuit court in this State, or any judge thereof, on application of a commissioner, may issue an attachment for such person and compel him to comply with such order or to attend before the commission and produce such documents and give his testimony upon such matters as may be lawfully required, and the court or judge shall have the power to punish for contempt as in cases of disobedience of a like order or subpoena issued by or from such court, or a refusal to testify therein.

Section 31. A substantial compliance by the commission with the requirements of this act shall be sufficient to give effect to all rules, orders, acts and regulations of the commission, and they

shall not be declared inoperative, illegal or void for any omission of a technical nature, in respect thereto.

Section 32. No person shall be excused from attending and testifying or from producing books and papers before the commission, or in obedience to the subpoena of the commission, whether such subpoena be signed or issued by one or more of the members of the commission in any investigation held by or before the commission or in any cause or proceedings in any court by or against the commission provided for in this act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may be required to testify or produce evidence, documentary orotherwise, before said commission, or in obedience to its subpoena, or in any such cause or proceeding; provided, that no person testifying shall be exempted from prosecution and punishment for perjury committed in so testifying.

Section 33. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid by the State in the same manner as other expenses of the Commission are audited and paid, upon the presentation of proper vouchers, sworn to by such witnesses and approved by the president of the commission; but no witness subpoenaed at the instance of parties other than the commission shall be entitled to compensation from the State for attendance and travel.

Section 34. Unless a different time be prescribed by the commission, every order of the commission, shall be effective twenty days after service thereof, and shall be served immediately after its entry of record, upon every party required to obey the same.

Section 35. Nothing in this act contained is intended or shall be construed:

(a) To limit or restrict the police jurisdiction or power of municipalities over their streets and other highways and public places.

(b) In respect of matters other than rates and service regulations, to repeal any power of any municipality (1) to adopt and enforce reasonable police regulation and ordinances in the interest of the public safety, morals and convenience, or (2) to protect the public against fraud, impositions or oppression by motor carriers within their respective jurisdictions.

Section 36. Every order of the commission shall be in writing, and in cases of importance may be accompanied by an

opinion, setting forth in brief, the facts on which the commission has based its order. The Commission shall provide for the assembling and publication, from time to time, of its opinions and orders.

Section 37. Any person who wilfully makes any false return or report to the Commission, or to any member, agent or employe thereof and any person who knowingly aids or abets such person, is guilty of a felony, and upon conviction shall be imprisoned as the court may direct, for a term of not exceeding five years.

Section 38. Any person who wilfully makes any false entry in the accounts or records, prescribed by the commission for any motor carrier, or wilfully destroys, mutilates or by any other means wilfully falsifies such accounts or records, or wilfully neglects or fails to make full, true and correct entries of all facts and transactions appertaining thereto, is guilty of a felony, and upon conviction shall be imprisoned, as the court may direct, for a term not exceeding five years.

Section 39. Any regular or special employe of the commission who divulges any fact or information coming to his knowledge respecting any inspection, examination or investigation of any account, record, memorandum, book or paper, or of the property and facilities of a motor carrier, except in so far as he may be authorized by the commission or a court of competent jurisdiction, or a judge thereof, shall be guilty of a misdeemanor, and upon conviction shall be fined not more than one thousand dollars.

Section 40. Any person who knowingly makes any false statement of fact under oath, whether oral or in writing, as required by this act, is guilty of perjury, and upon conviction shall be punished as provided for in the perjury statutes of the State.

Section 41. Any penalty or forfeiture imposed, declared or implied under the provisions of this act may be enforced by a civil action at the suit of the State, and the commission may institute and prosecute, or cause to be instituted and prosecuted, such action for the enforcement of such penalties or forfeitures to the State.

Section 42. From any final action or order of the commission in the exercise of the jurisdiction, powers and authority conferred upon the commission by this act, an appeal shall lie to the circuit court of Montgomery County sitting in equity, and thence to the Supreme Court of Alabama. Such appeals must be taken within thirty days after the date of such final action or order, and such appeals and the supersedeas and stay of the action or order appealed from in other respects shall be governed by the provisions of law now in force or hereafter enacted respecting appeals in other cases from the orders and actions of the commission.

Section 43. No preliminary injunction or intelocutory order, or decree, or process suspending or restraining or affecting the enforcement of any action, order or determination of the commission shall be granted by any judge or court, except upon hearing, after at least five days' notice to the commission.

Section 44. It shall be the duty of courts of competent jurisdiction to entertain and determine all actions commenced under the provisions of this act, and to enforce the provisions of the act, or of any order of the commission, by mandamus, or by injunction, or by any other appropriate remedy.

Section 45. Any person who violates or fails to comply with any provisions of this act, or who fails to obey, observe or comply with any lawful order, decision, rule or regulation, direction, demand or requirement, or any part or provision thereof of the commission, or who aids or abets any person in failure to observe or comply with any such order, direction, decision, rule, demand or requirement, or any part or provision thereof, shall be guilty of a misdemeanor, and shall be punishable by a fine of not less than fifty dollars ($50.00) nor not exceeding one thousand dollars ($1,000) or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

Section 46. Neither this act nor any provision thereof shall be applied or be construed to apply to interstate or foreign commerce except in so far as the same may be permitted or authorized under the Constitution of the United States and the Acts of the Congress of the United States, now in force or hereafter enacted.

Section 47. For the extra, new and additional duties imposed upon the commission, and the members thereof, by this act, and for the performance of the duties which are or may be hereafter required of the Commission and the members thereof hereunder. each member of the commission shall receive an additional fifteen hundred dollars annually to be paid as the salaries of other officers are paid.

Section 48. The members of the commission and such of their employees as may be designated by them to assist the commission in the performance of their duties under this act shall be entitled to free transportation, within the state, upon any motor vehicle of any motor carrier coming under the jurisdiction of the commission under this act.

Section 49. Every motor carrier operating under the provisions of this act must comply with the statutes of the state and with the rules and regulations prescribed by the State Highway Commission of Alabama wih respect to the size and weight of the motor vehicles operated in this state, the type of tires used there-

on and with respect to the maximum load that may be transported by such vehicles over the highways of the State. If the matters included in this section are not regulated by statute nor by any rules or regulations of the State Highway Commission, then said Public Service Commission may prescribe such reasonable rules and regulations as in its judgment may be necessary.

Section 50. If any clause, sentence, paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which judgment has been rendered.

Section 51. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Section 52. This act shall be known as and may be cited as the "Alabama Motor Carrier Act of 1927."

Section 53. This act shall be effective on and after its approval by the Governor.

Mr. Stokes offered the following amendment to said substitute to-wit:

Amend Section 47 of the Substitute bill by striking out the words " to be paid as the salaries of other officers are paid" where they occur on the sixth line of Section 47, on Page 18 of the mimeographed copy of the substitute bill, and adding in lieu thereof the words, "to be paid only out of monies in the State Treasury to the credit of the said 'Motor Carrier Fund' as hereinbefore provided for."

Which was adopted.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

—33

Nays:—None.

Mr. Young offered the following amendment to said substitute to-wit:

Amend Section 40 by inserting the words "a material" before the word "fact" where the same first appears in said Section.

Which was adopted.

Yeas, 24; Nays, 4.

Yeas:
Messrs:

Brown	Holmes	Loflin	Stokes
Caffey	Jack	Mitchell	Thompson
Cowan	Jackson	Moore	Walker
Ellis of Dallas	James	Oliver	Warren
Ellis of Shelby	Jones	Smith	Williams
Fite	Justice	Stanley	Young

—24

Nays:
Messrs:

Bonner	Bradford	Carlton	Nixon

—4

Mr. Ellis of Shelby offered the following amendment to said substitute to-wit:

Amend Section 47 of the substitute so as to make it read as follows:

Section 47. The members of the Alabama Public Service Commission shall perform and discharge the duties imposed upon them and upon said Commission by this Act without compensation other than that already provided by law.

Mr. Teasley moved that said amendment be laid upon the table, which motion prevailed and said amendment was tabled.

Yeas, 21; Nays, 8.

Yeas:
Messrs:

Brown	Fite	Mitchell	Teasley
Caffey	Holmes	Oliver	Walker
Carlton	Jackson	Smith	Walton
Cowan	James	Stanley	Warren
Craft	Loflin	Stokes	Williams
Ellis of Dallas			

—21

Nays:
Messrs:

Bonner	Ellis of Shelby	Moore	Thompson
Bradford	Hall	Nixon	

—8

Mr. Ellis of Shelby, also offered the following amendment to said substitute to-wit:

Amend Section 8 of the substitute so as to make it read as follows:

Section 8. The Commission shall carry out the provisions of this Act by the use of those persons employed by it in the regu-

lation of public utilities and transportation companies; provided the Commissioners shall have reimbursed to them all actual and necessary travelling expenses necessarily incurred in the discharge of the official duties imposed upon them by this Act. Provided further, that said expenditures shall not exceed the revenue derived from the taxes, fees and charges collected from the motor carriers, as provided for in this Act.

Mr. Fite moved that the amendment offered by Mr. Ellis of Shelby be laid upon the table, which motion prevailed and said amendment was tabled.

Mr. Oliver offered the following amendment to said substitute to-wit:

Amend Section 42 by striking therefrom the words "Montgomery County" where the same first appears in said section, and inserting in lieu thereof the words "The county in which the respondent resides."

Which was adopted.

Mr. Ellis of Shelby offered the following amendment to said substitute to-wit:

Amend Section 11 of the substitute by striking therefrom the following words where they occur together therein, viz:

"or other common carrier"

Mr. Fite moved that the amendment be laid upon the table, which motion prevailed and the amendment was tabled.

Yeas, 20; Nays, 12.

Yeas:
Messrs:

Brown	Ellis of Dallas	Jones	Smith
Caffey	Fite	Loflin	Stanley
Carlton	Holmes	**Mitchell**	**Walker**
Cowan	Jackson	Moore	Walton
Edgar	James	Oliver	Williams

—**20**

Nays:
Messrs.:

Bonner	Ellis of Shelby	Justice	Thompson
Bradford	Hall	Nixon	Warren
Craft	Jack	Teasley	Young

—12

And said substitute as thus amended was then adopted.

Yeas, 27; Nays, 5.

Yeas:
Messrs:

Bradford	Caffey	Cowan	**Edgar**
Brown	Carlton	Craft	Ellis of Dallas

Fite	Jones	Oliver	Walton	
Hall	Justice	Smith	Warren	
Holmes	Loflin	Stanley	Williams	
Jackson	Mitchell	Teasley	Young	
James	Moore	Walker		—27

Nays:
Messrs:

Bonner	Jack	Nixon	Thompson	
Ellis of Shelby				—5

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; Nays, 5.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Loflin	Stokes	
Brown	Fite	Mitchell	Teasley	
Caffey	Hall	Moore	Walker	
Carlton	Holmes	Oliver	Warren	
Cowan	James	Smith	Williams	
Craft	Jones	Stanley	Young	
Edgar	Justice			—26

Nays:
Messrs:

Bonner	Jackson	Nixon	Thompson	
Ellis of Shelby				—5

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:
By Rules Committee:

H. J. R. 22. Resolved by the House the Senate concurring that when the two Houses adjourn today they adjourn to meet on Thursday, Feby. 3rd, 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Ellis of Dallas the Senate concurred in and adopted H. J. R. 22, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested:

H. 53. To provide for the appointment of a stenographer by each solicitor of each judicial circuit in the State, composed of one county with three circuit judges, to fix the term of office of said stenographer, to prescribe the duties of said stenographer, and to fix the compensation of said stenographer.

Also,

H. 73. To alter or re-arrange the boundary lines of the city of Decatur, Alabama, so as to include within the corporate limits of said city, the territory now included within the cities or towns of Albany, Alabama, and Fairview, Alabama, and other territory and so as to exclude from the city of Decatur, Alabama, certain territory now included within the corporate limits of said city of Decatur, Alabama.

Also,

H. 96. To make an appropriation of Two Hundred and Fifty Thousand ($250,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasurery not otherwise appropriated, to defray the expenses of the present Session of the Legislature.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House:

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

Also:

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and send same herewith to the Senate without engrossment.

H. 172. To authorize and empower any State institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House message was read once and referred to appropriate Standing Committee as follows:

H. B. 172 to the Committee on Education.

BILLS ON THIRD READING RESUMED

The Bill:

S. 72. For the protection of persons furnishing material and labor for the construction of public works and for other purposes.

Was taken up.

The Committee on Judiciary reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 72

Substitute for Senate Bill 72, the following:

A Bill to be entitled an Act for the protection of persons furnishing materials, food-stuffs, supplies, and labor for the construction of public works, and for other purposes.

Be it enacted by the Legislature of Alabama:

Section 1. That hereafter, any person, firm or corporation entering into a contract with this State, or any county or municipal corporation in this State for the repair, construction, or prosecution of any public building or public work, shall be required, before commencing such work, to execute a bond payable to the State, county or municipal corporation, with good and sufficient surety, approved in writing by the authority having charge of

the making of such contract, conditioned that such contractors or contractors, or his or their sub-contractor or sub-contractors, shall faithfully perform such contract, and shall promptly make payment to all persons supplying him or them with labor, material, feed-stuffs, or supplies, in the execution of the work provided for in such contract. PROVIDED, HOWEVER, that this act shall not apply to contracts of less than $1,000.00 in amount.

Section 2. Any person, firm or corporation supplying the contractor or sub-contractor with labor, materials, feed-stuffs or supplies, after the complete performance of the contract and within six months therefrom, shall, upon application therefor and furnishing affidavit to the authority under the direction of whom such work has been prosecuted, that labor, material, feed-stuffs or supplies for such work has been supplied by him or them, and that payment for the same has not been made, be furnished a certified copy of said bond, and shall have a right of action thereon, and shall be authorized to bring suit on said bond in his or their name or names, and to prosecute the same to final judgment and execution.

Section 3. That where suit is instituted by any of such creditors on the bond of the contractor, it shall not be commenced until after the complete performance of said contract and final settlement thereof; and where suit is so instituted by a creditor or by creditors, only one action shall be brought, and any creditor may file his claim in such action and be made party thereto. If the recovery on the bond should be inadequate to pay the amounts found to be due to all of said creditors, judgment shall be given to each creditor pro rata of the amount of the recovery. In all suits instituted under the provisions of this act, personal notice of the pendency thereof, informing them of their right to intervene as the court may order, shall be given to all known creditors, and in addition thereto, notice by publication for three successive weeks shall be given in some newspaper of general circulation published in the county where the work or a part thereof is being or has been performed.

Mr. Teasley offered the following amendment to said substitute to-wit:

Amend Substitute to Senate Bill No. 72 by striking out the words "or his or their sub-contractor or sub-contractors," where they appear in line 9 of Section 1.

Amend, further, by striking out the words "or sub-contractor," where they appear in line 2 of Section 2 of said bill.

Amend, further, by adding at the end of Section 3: "Provided, that all actions against the surety, as provided under this act, must be commenced within six months after the complete performance of said contract and final settlement thereof. Any action hereunder may be brought in the county where the work

was done or in any county where the contractor does business by agent."

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Edgar	James	Oliver
Bradford	Ellis of Dallas	Jones	Stokes
Brown	Ellis of Shelby	Justice	Teasley
Caffey	Fite	Loflin	Thompson
Carlton	Hall	Mitchell	Walker
Cowan	Holmes	Moore	Williams
Craft	Jack	Nixon	Young

—28

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 31; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jones	Teasley
Bradford	Ellis of Shelby	Justice	Thompson
Brown	Fite	Loflin	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Holmes	Moore	Warren
Cowan	Jack	Nixon	Williams
Craft	Jackson	Oliver	Young
Edgar	James	Stokes	

—31

Nays:—None.

The Bill:

S. 68. To amend Section 4039 of the Code of 1923, and to make such amendment effective as of the date of the going into effect of said Code.

Was taken up.

The Committee on Judiciary offered the following amendment to said bill to-wit:

Amend Senate Bill No. 68 by striking out Section 2 and Numbering Section 3 by changing the No. of said section to No. 2.

Which was adopted.

Yeas, 30; Nays, 0.

Messrs:

Bonner	Brown	Carlton	Edgar
Bradford	Caffey	Craft	Ellis of Dallas

Ellis of Shelby	James	Nixon	Thompson
Fite	Jones	Oliver	Walton
Hall	Justice	Stanley	Warren
Holmes	Loflin	Stokes	Williams
Jack	Mitchell	Teasley	Young
Jackson	Moore		

—30

Nays:—None.

The Committee on Judiciary also offered the following amendment to said bill to-wit:

Amend the caption of S. B. 68 so as to read as follows: By striking out the words "and to make such amendment effect ve as of the date of the going into effect of said code."

Which was adopted.

Yeas, 33; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

—33

Nays:—None.

And said bill as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

—33

Nays:—None.

The Bill:

S. 115. To amend Section 6665 of the Code of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Caffey	Fite	Justice	Teasley
Carlton	Hall	Loflin	Walker
Cowan	Holmes	Mitchell	Walton
Craft	Jack	Nixon	Williams
Edgar	Jackson	Oliver	Young

—28

Nays:—None.

The Bill:

S. 105. To authorize leaves of absence of employees of the State on full pay, who are members of the America Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Legion Convention in Paris.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Oliver
Caffey	Fite	Justice	Stokes
Carlton	Hall	Loflin	Walker
Cowan	Holmes	Mitchell	Walton
Craft	Jack	Moore	Williams
Edgar	Jackson	Nixon	Young
Ellis of Dallas	James		

—26

Nays:—None.

The Bill:

S. 120. To provide for the designation, nomination and election by number of judges in judicial circuits now or hereafter composed of one county having more than two judges and less than nine judges.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Craft	Hall	Jones
Brown	Edgar	Holmes	Justice
Caffey	Ellis of Dallas	Jack	Loflin
Carlton	Ellis of Shelby	Jackson	Mitchell
Cowan	Fite	James	Moore

Nixon	Stokes	Walton	Williams	
Oliver	Thompson	Warren	Young	
Stanley	Walker			—30

Nays:—None.

The Bill:

S. 96. To amend Section 8902 of the 1923 Code of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 25; Nays, 0.

Yeas:

Messrs:				
Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Hall	Mitchell	Thompson	
Caffey	Holmes	Moore	Walker	
Cowan	Jackson	Nixon	Walton	
Craft	James	Oliver	Williams	
Edgar	Jones	Stanley	Young	
Ellis of Dallas				—25

Nays:—None.

The Bill:

S. 81. Regulating the issuance of injunctions against municipalities of the State.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:

Messrs:				
Bonner	Ellis of Shelby	Jones	Stanley	
Bradford	Fite	Justice	Stokes	
Caffey	Hall	Loflin	Thompson	
Carlton	Holmes	Mitchell	Walker	
Cowan	Jack	Moore	Walton	
Craft	Jackson	Nixon	Williams	
Edgar	James	Oliver	Young	
Ellis of Dallas				—29

Nays:—None.

The Bill:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Was taken up.

Mr. Mitchell moved that said bill be re-referred to the Committee on Education.

Mr. Teasley moved that the motion of Mr. Mitchell be laid upon the table, which motion prevailed and the motion of Mr. Mitchell was tabled.

And said bill was then read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 1.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Fite	Loflin	Thompson
Caffey	Hall	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Oliver	Williams
Craft	Jackson	Stanley	Young
Edgar	James		

—30

Nay:—Mr. Mitchell.—1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, The Governor, with his objections and proposed amendment to the bill:

H. 5. to provide funds for the repair or improvement of the Capitol.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To The Legislature of Alabama:
Gentlemen of the House:

I herewith return to you as the House in which it originated House Bill No. 5 without my approval.

Under the Constitutional authority vested in me I suggest that the Act will be satisfactory and will meet with my approval if the House and Senate see fit to concur in the following Executive amendments.

1st. Amend the title of the Act by adding the words "and buildings and the Governor's Mansion" after the word "Capitol" where it occurs in the title.

2nd. By striking from the Act Sections two and three thereof and

3rd. By adding to said bill the following:

Section 2. The funds herein provided shall be used for the purposes for which the appropriation is made upon the order of the Governor and said funds shall be available immediately upon the passage of the Act and the approval of the Governor.

These amendments are suggested for the following reasons.

1st. The title of the Act makes no reference to the other buildings nor to the Governor's Mansion.

2nd. Section two of the Act as it appears in the bill is intended to release the appropriation provided by Section 90 of the Code of Alabama 1923 which would be available on October 1, 1927 but it is doubtful if the words used therein would be construed as releasing this appropriation at this

time. If construed as releasing this appropriation for 1927 at this time the condition existing is such that there would be no appropriation at all available after October 1, 1927 until October 1, 1928.

The appropriation available October 1, 1926 has less than Three Hundred Dollars ($300.00) remaining in it, the balance having been already expended in the purchase of property near the Capitol and in the repairs and improvements made on the Capitol building and grounds by the last administration. There are now outstanding contracts made by the last administration for the purchase of property and for repairs and improvements that will require more than half of the appropriation carried by the bill to be expended in the next three or four months. There is a contract out for painting and ornamenting the rotunda of the Capitol amounting to practically Nine Thousand Dollars. There is now due contractors for work already done, for which there are no funds available, an amount exceeding Fifteen Thousand Dollars. The State is under contract to assume the payment of Thirty Thousand Dollars for property purchased by the last administration and the contracts have not been completed. There is also a contract out for a sprinkler system to be placed in the Capitol and other repairs that have not been begun, all of which will consume three-fourths of the appropriation provided in the present Act, leaving only Twenty-five Thousand Dollars for the next two years. Contractors have not been paid for the past two months for want of funds available for this purpose.

Respectfully,
Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of the whole number elected to the House, said vote being, Yeas, 89; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time, at length, and passed by a vote of a majority of the whole number elected to the House, said vote being Yeas, 85; Nays, 0.

And said bill together with the Governor's Message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Teasley, the Senate concurred in the amendment proposed by His Excellency, The Governor to H. B. 5, the title of which is set out in the foregoing message from the House, and said Governor's message being also set out in the foregoing message from the House.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Brown	Carlton	Craft
Bradford	Caffey	Cowan	Edgar

Ellis of Dallas	Jack	Nixon	Walker	
Ellis of Shelby	James	Stanley	Walton	
Fite	Jones	Stokes	Williams	
Hall	Justice	Teasley	Young	
Holmes	Loflin	Thompson		—27

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. B. 5, as thus amended by the amendment of His Excellency, The Governor, was again read a third time at length and passed.

Yeas, 32; Nays, 0.

Yeas:

Messrs:				
Bonner	Ellis of Dallas	Jones	Stanley	
Bradford	Ellis of Shelby	Justice	Stokes	
Brown	Fite	Loflin	Teasley	
Caffey	Hall	Mitchell	Thompson	
Carlton	Holmes	Moore	Walker	
Cowan	Jack	Nixon	Walton	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
				—32

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and sends same herewith to the Senate without engrossment.

By Mr. Miller (Sumter):

H. 23. Amending Section 3858 of the Code of Alabama as approved August 17th, 1923.

Also:

By Mr. Frey:

H. 44. To require the judges of probate in the several counties of the State of Alabama to furnish the United States Veterans Bureau certified copies of all settlements by guardians of beneficiaries of said Bureau.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 23 To the Committee on Revision of Laws.

H. 44 To the Committee on Military.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing: Report from Committee on Enrolled Bills.

CALENDAR BILL RECOMMITTED

On motion of Mr. Ellis of Shelby, The bill:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved Sept. 29, 1923.

Was taken from today's calendar and re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

RESOLUTION

Mr. Jack offered the following Senate Resolution:

S. R. 36. Whereas the Senate has just learned of the death of the father of Senator J. A. Hines of Chambers:

Be it resolved that the Senate of Alabama extends its sympathy to Senator Hines and the Secretary be directed to send a copy of this Resolution to Senator Hines.

Which was, under a suspension of the rules, adopted.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully

examined the Journal of the Senate for the Eleventh legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Eleventh legislative day was approved by the Senate.

ADJOURNMENT

At 5 P. M., on motion of Mr. Stokes, and pursuant to joint resolution heretofore adopted, the Senate adjourned until Thursday, February 3rd, 1927 at 10 A. M.

TWELFTH DAY

Thursday, February 3, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Dr. Hollis, Representative from Choctaw County.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Thompson
Caffey	Hall	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young

—32

JOURNAL

On motion of Mr. Brown the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Mr. Fite:

S. 143. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

Local Legislation.

By Mr. Warren:

S. 144. To amend section 7409 of the Code of Alabama of 1923.

Judiciary.

By Mr. Warren:

S. 145. To provide for the appointment of an Assistant Solicitor for each Judicial Circuit in the State which is composed of one county only which has a population of fifty thousand inhabitants and not more than sixty five thousand inhabitants according to the last Federal census or any subsequent census, to fix the term of said office, to prescribe the duties and authority of said Assistant Solicitor, and to fix his compensation.

Judiciary.

By Mr. Fite:

S. 146. To amend Section 7770 of the Code of Alabama of 1923.

Judiciary.

By Mr. Williams:

S. 147. To amend Section 9027 of the Code of Alabama (1923).

Judiciary.

By Mr. Craft:

S. 148. To further provide for the compensation of Official Court Reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

Judiciary.

By Mr. Walker:

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operation of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp prod-

ucts, wooden cabinets and farm implements, or any other manufactured products.

Finance and Taxation.

By Mr. Justice:

S. 150. To amend Section 1063 of the Code "County Quarantine Officers; How Appointed, Salary, etc.

Public Health.

REPORT OF COMMITTEES

Mr. Loflin Chairman of the Standing Committee on Counties and County Boundaries reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grove:

H. 162. To require all State and county officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the treasurer or such other corresponding officer in their respective counties showing moneys received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent Federal census, and to provide penalties for failure to file such reports and for filing false reports.

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With N. & P.):

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the City of Birmingham, and to establish for the consummation of that purpose a Court House Commission: and to authorize said Commission to build a court house and jail for said County, to sell and convey certain court house properties now owned by the County, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of the said commission and the powers and duties of the Board of Revenue and Treasurer of said Count, incident to the construction of said court house and jail.

By Mr. Jordan: (With N. & P.)

H. 186. To fix the salary of the Deputy Solicitor of Washington County, Alabama.

By Mr. Holmes: (with N. & P.)

S. 129. To fix the salary of the Deputy Solicitor of Baldwin County, Alabama.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Patterson:

H. 173. To provide for and create a commission form of government in all cities of the State of Alabama and having a population of not less than one thousand nor more than twenty-five thousand by the last or any subsequent Federal census whose corporate limits may have been or may hereafter be so altered or rearranged as to include the territory of one or more other cities and towns by any Act passed by this session of the Legislature or by any Act that may be passed at this or any subsequent session of the Legislature; to provide for the appointment of commissioners for such cities by the Governor and fix their terms and salaries; to confer and impose upon the commissioners so appointed all the powers conferred and imposed upon commissioners of class D cities by Article 46 of hapter 43 of the Code of 1923 and upon consolidated cities and towns by Article 10 of Chapter 43 of the Code of 1923 and other applicable general laws of the State; to fix the time and provide for the holding of an election as to whether such cities whose limits have been so altered or rearranged shall return to or adopt the aldermanic form of government; to provide for the division of said cities into wards; to provide for the election by the commissioners of one or more such school boards as may be necessary to comply with the Constitution and laws of Alabama and of the United States and to confer upon such cities all such powers to impose and collect special taxes from persons and property as were possessed by either of the cities and towns so included in its new corporate limits and providing that the funds so raised by special taxation shall be apportioned and expended in the manner required by the Constitution and laws of Alabama and of the United States.

(Reported without Recommendation).

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With Substitute.)

S. 108. To amend Section 6284 of the Code of Alabama.

By Mr. Fite: (With Substitute.)

S. 109: To amend Sections 6279, 6280, 6281, and 6300 of the Code of Alabama, relating to State Banking Laws.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Teasley:

S. 141. To reguate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last federal census or any such census which may hereafter be taken.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With N. & P.)

S. 134. For the relief of James C. Williams.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 110. To amend Sections 1754, 1757, 1760, 1894, 2341, and 2364 of the Code of Alabama.

By Mr. Fite:

S. 53. To extend the term of all elective officers of all municipalities in the State of Alabama, governed by the Aldermanic form of Government.

By Mr. Jones:

S. 35. To amend an Act entitled "An Act To Make a Donation of the State Capitol at Tuscaloosa", approved on January 28, 1852, and found on page fifty five (55) of the Acts of Alabama, 1851-2.

By Mr. Miller of Sumter:

S. 23. Amending Section 3858 of the Code of Alabama as approved August 17th, 1923.

By Mr. Holmes:

S. 128. To amend Section 1185 of the Code of 1923.

By Mr. Fite:

S. 113. To amend Section 8588 of the Code of Alabama.

By Mr. Grove:

H. 70. To repeal an act entitled "An Act to prescribe the duties of sheriffs as to inferior criminal courts in all counties having a population of over Eighty Thousand, according to the last federal census, or which may hereafter have such population according to any federal census hereafter taken, in which the sheriff is not on a salary basis under and by virtue of a Constitutional Amendment, and to fix the compensation of the sheriffs of such counties, as well as the compensation of the sheriffs of all other counties in which the sheriffs are now or may hereafter be required to perform for the inferior criminal courts of their respective counties the services and duties by this Act specified and enumerated for sheriffs of counties having a population of over Eighty Thousand, for executing process out of such courts and for other services rendered in or to such courts, and to provide the method of payments and to limit the amount of fees and allowances to be paid by counties in cases wherein the fine and costs are not paid by convicted defendants, and to repeal all laws, and parts of laws, general, local, private and special in conflict herewith," approved September 29th, 1923.

By Mr. Deloney:

H. 71. To repeal an Act entitled An Act to regulate the issue of garnishments by justices of the peace, and notaries public, with same jurisdiction and powers of a justice of the peace and proceedings therein when a demand owing for, or on account of personal services rendered, or to be rendered, by the defendant is sought to be subjected by process of garnishment in the counties of Colbert and Franklin, approved February 21, 1893, insofar as the same relates to or affects Colbert County.

Mr. Mitchell, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwin:

H. 172. To authorize and empower any State Institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session,

had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Warren: (With Substitute.)

S. 126. To amend Section 2938 of the Code of Alabama, 1923, relating to pensions of the widows of Confederate Soldiers and Sailors.

By Mr. Frey:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved September 29, 1923.

LEAVES OF ABSENCE

On motion of Mr. Jack, leave of absence was granted Mr. Hines for today.

On motion of Mr. Fite, leave of absence was granted Mr. Jackson for today.

PRIVILEGES OF THE FLOOR

On motion of Mr. Bonner, the privilepes of the floor were extended to Miss Smith and her class from the Troy State Normal School.

RESOLUTION

Mr. Holmes offered the following Senate Joint Resolution, which was read and referred to the Standing Committee on Rules.

By Mr. Holmes:

S. J. R. 37. To make a survey of the oyster bearing waters in Baldwin County, Alabama, similar to what has been done in Mobile County, Alabama, in the Bay of Mobile supplementing and completing the work that has already been accomplished, as well as in the Mississippi Sound.

Whereas, The Oyster beds and barren bottoms in Mississippi Sound in Mobile County, Alabama, were surveyed by the Department of Commerce and Labor,—Bureau of Fisheries, which said survey was made in the summer of 1910, and completed in May, 1911,

And whereas, No survey was made at that time by the Department of Commerce and Labor—Bureau of Fisheries—of the natural oyster beds and barren bottoms, in Baldwin County, Alabama, in said waters.

Therefore, Be it Resolved by the Senate, the House concurring That the Department of Commerce and Labor—Bureau of Fisheries, are earnestly requested to complete the natural oyster beds and barren bottoms of the Alabama waters, in Baldwin County, in said State, in Mobile Bay,

Be it Further Resolved, that the Governor of Alabama, and the Commissioner of Game and Fisheries in said State are hereby requested to have the Department of Commerce and Labor—Bureau of Fisheries—to complete said survey in Baldwin County, Alabama, for the State of Alabama, said survey being of national as well as of State importance of increasing the supply and production of shell fish,

Be it Further Resolved, That the Hon. I. T. Quinn, Commissioner of Game and Fisheries for the State of Alabama, is hereby authorized to go to Washington to present these resolutions to the Bureau of Fisheries in said Department, urging the completion of said survey.

Be it Further Resolved, That copies of these resolutions shall be forwarded by the Hon. I. T. Quinn to Senators Oscar W. Underwood and J. T. Heflin, and Congressman John McDuffie and Lister Hill.

SPECIAL ORDERS SET

On motion of Mr. Ellis of Dallas, the Bills:

S. 108. To amend Section 6284 of the Code of Alabama.

Also:

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to the State Banking Laws.

Were made special, continuing orders first on the calendar for the next legislative day.

BILLS ON THIRD READING

The Bill:

H. 39. To validate and legalize elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest-bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities."

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Stokes
Bradford	Ellis of Shelby	Mitchell	Teasley
Brown	Hall	Moore	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Oliver	Warren
Cowan	James	Smith	Williams
Craft	Jones	Stanley	Young
Edgar	Justice		

—30

Nays:—None.

The Bill:

H. 86. To change the amount, or fix the amount, of the salary or compensation of the County Treasurers of any counties in the State having a population of not less than ninety thousand, nor more than one hundred and eighty thousand, according to the last, or to any succeeding Federal census; to provide the method and manner of its payment, and to repeal all laws, or parts of laws, general, local or special, in conflict with the provisions of this act.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Stokes
Bradford	Ellis of Shelby	Mitchell	Teasley
Brown	Hall	Moore	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Oliver	Warren
Cowan	James	Smith	Williams
Craft	Jones	Stanley	Young
Edgar	Justice		

—30

Nays:—None.

The Bill:

H. 153. To alter and rearrange the boundary lines of the city of Demopolis, Alabama, so as to include within the corporate limits of said city the territory described in Section One of this bill.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Carlton	Ellis of Dallas	Jack
Bradford	Cowan	Ellis of Shelby	James
Brown	Craft	Hall	Jones
Caffey	Edgar	Holmes	Justice

Loflin	Oliver	Teasley	Warren
Mitchell	Smith	Thompson	Williams
Moore	Stanley	Walton	Young
Nixon	Stokes		

—30

Nays:—None.

The Bill:

H. 12. To amend Section 7132 of the Code of Alabama 1923.

Was read a third time at length and passed.

Yeas, 29; Nays, 0.

Messrs:

Bonner	Hall	Mitchell	Teasley
Bradford	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walker
Carlton	James	Oliver	Walton
Cowan	Jones	Smith	Warren
Edgar	Justice	Stanley	Williams
Ellis of Dallas	Loflin	Stokes	Young
Ellis of Shelby			

—29

Nays:—None.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with favorable report to-wit:

By Mr. Holmes:

S. J. R. 37. To make a survey of the oyster bearing waters in Baldwin County, Alabama, similar to what has been done in Mobile County, Alabama, in the Bay of Mobile supplementing and completing the work, that has already been accomplished, as well as in the Mississippi Sound.

Whereas, The Oyster beds and barren bottoms in Mississippi Sound in Mobile County, Alabama, were surveyed by the Department of Commerce and Labor, Bureau of Fisheries, which said survey was made in the summer of 1910, and completed in May, 1911,

And whereas, no survey was made at that time by the Department of Commerce and Labor, Bureau of Fisheries, of the natural oyster beds and barren bottoms, in Baldwin County, Alabama, in said waters.

Therefore, Be it Resolved by the Senate, the House concurring That the Department of Commerce and Labor, Bureau of Fisheries are earnestly requested to complete the natural oyster beds and barren bottoms of the Alabama waters, in Baldwin County, in said State, in Mobile Bay.

Be it Further Resolved, that the Governor of Alabama, and

the Commissioner of Game and Fisheries in said State or hereby requested to have the Department of Commerce and Labor, Bureau of Fisheries, to complete said survey in Baldwin County, Alabama, for the State of Alabama, said survey being of national, as well as of State importance of increasing the supply and production of shell fish.

Be it Rurther Resolved, That the Hon. I. T. Quinn, Commissioner of Game and Fisheries for the State of Alabama, is hereby authorized to go to Washington to present these resolutions to the Bureau of Fisheries in said Department, urging the completion of said survey.

Be it Further Resolved, That copies of these resolutions shall be forwarded by the Hon. I. T. Quinn to Senators Oscar W. Underwood and J. T. Heflin, and Congressmen John McDuffie and Lister Hill.

And on motion of Mr. Brown, said report was concurred in, and said resolution concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Jeter:

H. J. R. 25. Whereas, Jefferson County is the largest County in the State and pays a very great proportion of the taxes of the State, and

Whereas, the present administration of the county has brought its financial condition to a deplorable and unenviable status, bordering on to chaos and ruin; and,

Whereas, the entire administration of county affairs in Jefferson County reeks with inefficiency and wastefulness;

Therefore, be it resolved by the House, the Senate concurring that there be and hereby is, established a Joint Recess Committee of the two Houses to consist of three members of the House, to be appointed by the Speaker, and two members of the Senate to be appointed by the President of the Senate; no one of whom shall be from Jefferson County; such committee shall have power to sit at such time at it may see fit and shall have power to subpoena witnesses and compel their attendance; it shall also have power to inspect the records of any and all offices and departments in said county; and the Chief Examiner of Accounts of the State is authorized and directed to furnish for the use of such Committee one of his assistants who shall assist the Committee in its wkork, and said Committee shall make a written report of its finding to the Legislature on its reconvening, and the Solicitor of Jefferson County, Alabama and the Attorney General

of Alabama shall furnish such committee with such advice and counsel as it may call for from them or either of them.

The members of such Committee shall receive the same compensation as members of other recess committees receive.

And sends same herewith to the Senate.

And has concurred in and adopted:

S. J. R. 28. Relative to a Joint Committee of the two Houses to sit during the recess to investigate the Bond laws of the State.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fite, the rules were suspended and H. J. R. 25 set out in the foregoing message from the House was concurred in and adopted.

Yeas, 22; Nays, 4.

Yeas:				
Messrs:				
Brown	Ellis of Dallas	Loflin	Smith	
Caffey	Fite	Mitchell	Stanley	
Carlton	Hall	Moore	Walker	
Cowan	Holmes	Nolen	Walton	
Craft	Jack	Oliver	Williams	
Edgar	Jones			—22
Nays:				
Messrs.:				
Bonner	Ellis of Shelby	Stokes	Young	
				—4

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report to-wit:

S. J. R. 35. Whereas, the State of Alabama is vitally interested in the development and improvement of Water Transportation for slow-moving freights of all kinds, and the numerous benefits accruing therefrom, Therefore, Be it Resolved by the Senate, the House concurring.

That the State of Alabama heartily endorses and favors the project hereinafter more fully set forth:

Be it Further Resolved, That the route for the proposed Canal, or Project, shall be as follows: Beginning at Cumberland Sound, and proceeding thence, via the St. Mary's River through Georgia and Florida, thence through the Okefenokee Swamp, in Georgia, the Suwanee River in Florida, and Saint George's

Sound, a Government Canal, now connecting the Apalachicola River with St. Andrew's Bay in Florida; St. Andrews' Bay Choctawhatchee Bay, Santa Rosa Sound, Pensacola Bay, and Big Lagoon in Florida; Perdido Bay, Mobile Bay, Alabama, Mississippi Sound, Lake Pontchartrain, and the Industrial Canal, at New Orleans, Louisiana, to the Mississippi River, the Rivers and Harbors' Act, of January 21, 1927, having already authorized the survey to be made.

Be it further Resolved, That it is the sense of the Legislature of Alabama, by the joint concurrent action of the Senate and the House, that the Intercoastal, or Inland Canal for barge line transportation, should be not less than nine feet deep, and not less than one hundred wide at the bottom, giving to the State of Alabama, as well as all the other States concerned, an outlet to all eastern markets for coal, and all other commodities, both for incoming and outgoing freights,

Be it Further Resolved, That said project is of immense value and importance, not only to Alabama, but to all the Southern States; and deserves, and should have the hearty support of all the Southern States,

Be it Further Resolved, That the Legislature of the State of Alabama, hereby puts itself on record as heartily endorsing, and approving said project,

Be it Further Resolved, That the Legislature of Alabama, by its joint action, hereby earnestly recommends this undertaking, and the carrying out of the project to completion as speedily as may be; and it hereby memorializes the Congress of the United States, to make adequate and proper appropriations as soon as said survey has been accomplished, to see that the work is done as speedily as may be,

Be it Further Resolved, That the Governor of the State of Alabama be requested to transmit copies of this Resolution to the President of the United States, and to the members of the Senate and House of Representatives from the State of Alabama.

And on motion of Mr. Brown, said report was concurred in and said resolution concurred in and adopted.

ADJOURNMENT

At 12 M. on motion of Mr. Cowan, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTEENTH DAY

Friday, February 4, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis, presiding.

PRAYER

By Dr. E. V. Baldy, President of Judson College.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Fite	Mitchell	Teasley
Brown	Hall	Moore	Tnompson
Caffey	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas	Justice		—34

JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Jack, leave of absence was granted Mr. Hines for to-day.

INTRODUCTION OF BILLS

Upon a call of districts bill were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Williams:

S. 151. To amend Section 10291 of the Code of Alabama of 1923.

Judiciary.

REPORTS OF COMMITTEES

Mr. Bonner, Chairman of the Standing Committee on Temperance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stokes:

S. 117. To amend Section 4773 of the Code of Alabama of 1923.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Walker:

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp products, wooden cabinets and farm implements, or any other manufactured products.

Mr. Hall, Acting Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jackson: (With N. & P.)

S. 119. For the relief of John B. Laseter, of Barbour County, Alabama.

Mr. Thompson, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 125. To authorize and empower any political party hereafter holding a primary election under the primary election laws of Alabama for the nomination of its candidate for circuit judge to sit as of course in that branch or division of the circuit court which is now held or may hereafter be held at a place other than at the county site for the trial of cases arising within a designated portion of such county in circuits composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such court.

By Mr. Jordan:

H. 56. To repeal Sections Six Hundred, eighty five (685) six hundred eighty six (686) and six hundred eighty seven (687) of Article four (4) of the Code of Alabama 1923.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends the same herewith to the Senate:

By Mr. Powell:

H. 32. To submit to the qualified voters of the State of Alabama, at the general election to be held on the first Tuesday after the first Monday of November, 1928, for their consideration, an amendment to the Constitution of the State, fixing the salaries and compensations and allowances to be paid to the judge of probate, the tax assessor and the tax collector, the clerk of the circuit court, the county solicitor and the county treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the costs, charges, and fees and salaries of such officers, including the method and basis of their compensation.

Be It Enacted By The Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama, for their consideration, as hereafter set forth, viz.:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, "the compensation and allowance of the following-named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: one clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him.

The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a sal-

lary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office and $1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund;" that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State, at least eight consecutive weeks, next preceding the general election in November, 1928, of the election on the amendment proposed by this Act, to be submitted to the qualified voters of the State, for their consideration, together with the proposed amendment.

Section 3. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State upon the proposed amendment. Upon the ballots used at such election, shall be printed the following:

"Amendment to the Constitution, fixing the compensation and allowances of the following named county officers of Walker County, "Commencing at the beginning of their next term of

office, subsequent to the General Election in November, 1928, as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly instalments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office, and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office, and $1,000 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such fund into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in prolonging the terms of the public schools of said county, so that all of the school children of said county shall receive a benefit therefrom so far as is practicable, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county. "Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the

word "No." The choice of the elector shall be indicated by the cross-mark by him opposite the word expressing his desire.

Section 4. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon such proposed amendment, the votes cast thereat shall be canvassed, tabulated, and the returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message, was read one time at length and referred to appropriate standing committee as follows:

H. 32, To the Committee on Constitution and Constitutional Revision and Amendments.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the follow-lowing Joint Resolution with the original Resolution, and find same correctly enrolled, to-wit:

S. J. R. 28: Relative to creating a Joint Recess Committee of two from the Senate and three from the House, to make an investigation and report on the Bond Laws of the State.

H. M. Caffey,
Chairman.

SIGNING OF RESOLUTION

The president of the Senate, in the presence of the Senate, immediately after the reading at length thereof had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Joint Resolution, the title of which is set out in the foregoing report from Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. Speaker:

The Speaker of the House, having signed the following House Bills, your signature thereto is requested:

H. 5. To provide funds for the repair or improvements of the Capitol and buildings and the Governor's mansion.

Also:

H. 12. To amend Section 7132 of the Code of Alabama 1923.

Also:

H. 39. To validate and legalize elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest-bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities."

Also:

H. 86. To charge the amount, or fix the amount, of the salary or compensation of the county treasurers of any counties in the State, having a population of not less than ninety thousand, nor more than one hundred and eighty thousand, according to the last, or to any succeeding Federal census; to provide the method and manner of its payment, and to repeal all laws, or parts of laws, general, local or special, in conflict with the provisions of this Act.

Also:

H. 153. To alter and rearrange the boundary lines of the city of Demopolis, Alabama, so as to include within the corporate limits of said city the territory described in Section One of this bill.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by

a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following Joint Resolution:

By Mr. Pegues:

H. J. R. No. 26. Whereas, the laws of this State require that the U. S. flag and the Alabama flag be displayed; and

Whereas, it seems only reasonable that the State should be just as zealous in its display of said flags as its laws require of others, therefore be it resolved, That:

1. It is the concensus of opinion of this Legislature that the national flag and the Alabama flag be displayed appropriately on the Capitol grounds every day in the year.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 26, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the city of Birmingham, and to establish for the consummation of that purpose a court house commission; and to authorize said commission to build a court house and jail for said county, to sell and convey certain court house properties now owned by the county, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of said commission and the powers and duties of the board of revenue and treasurer of said county, incident to the construction of said court house and jail.

Was taken up.

Mr. Fite offered the following amendment to said bill to-wit:

Amend Section 13 by adding at the end thereof the following:

But the prohibition herein contained shall not apply to loans or other business dealings by and between a contractor or other

person employed in and about the construction of said court house or furnishing material therefor and any bank with which a member of said Commission may be connected as an officer or stockholder.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stanley
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Williams
Craft	James	Oliver	Young
Edgar	Jones		—30

Nays:—None.

Said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stanley
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Williams
Craft	James	Oliver	Young
Edgar	Jones		—30

Nays:—None.

The Bill:

S. 108. To amend Section 6284 of the Code of Alabama.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

SUBSTITUTE FOR SENATE BILL 108

A bill to be entitled An Act to amend An Act approved September 29, 1923, entitled: "An Act to provide for and regulate further the Banking Department for the State of Alabama to the end of better regulating the examinations and supervisions of banks and banking in this State."

Be it Enacted by the Legislature of Alabama:

Section 1. That Section One of an Act entitled An Act to provide for and regulate further the Banking Department for the State of Alabama to the end of better regulating the examinations and supervisions of banks and banking in this State, (which said section appears in the Code of Alabama of 1923 as Section 6284), be amended so as to read as follows: Section 1. Examiners and Office Assistants; Stenographers; Appointment and Compensation of. The Superintendents of banks, with the approval of the Governor, may from time to time employ not exceeding six persons as examiners, one office assistant and one liquidating agent, and such number of stenographers as is needed to aid him in the discharge of the duties imposed upon him by law. The examiners, office assistant, liquidating agent and stenographers employed by the Superintendent shall perform such duties as he shall assign them; and the Superintendent may in his discretion dispense with the services of any of his office force, including the examiners. The office assistant shall receive a salary of Three Hundred Fifty ($350.00) Dollars per month; the liquidating agent shall receive a salary not exceeding Three Hundred ($300.00) Dollars per month; and the examiners shall each be paid a salary not exceeding Two Hundred Fifty ($250.00) Dollars per month; and each stenographer shall receive a salary not to exceed One Hundred Fifty ($150.00) Dollars per month. Such salaries shall be paid monthly on the certificate of the Superintendent of Banks on warrants drawn by the State Auditor on the State Treasurer.

Which was adopted.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Nolen
Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Carlton	Holmes	Mitchell	Warren
Cowan	Jack	Moore	Williams
Craft	Jackson	Nixon	Young
Edgar			

—29

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Brown	Carlton	Craft
Bradford	Caffey	Cowan	Edgar

Ellis of Dallas	James	Moore	Teasley
Fite	Jones	Nolen	Thompson
Holmes	Justice	Oliver	Warren
Jack	Loflin	Smith	Williams
Jackson	Mitchell	Stanley	Young

—28

Nays:—None.

The Bill:

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State banking laws.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute to said bill to-wit:

SUBSTITUTE FOR SENATE BILL 109

A Bill to be entitled An Act to amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State banking laws.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 6279 be amended so as to read as follows:

Section 6279. There is created a Banking Board, consisting of the Superintendent of Banks, who shall be ex-officio a member of the Board, and four persons who shall be appointed by the Governor, by and with the consent of the Senate, and the Superintendent of Banks shall be chairman of this Board. The term of office of the four appointed members of the Board shall expire on the last day of February after the expiration of the term of office of the Governor making the appointment.

Section 2. That Section 6280 be amended so as to read as follows:

Section 6280. Either of the four appointed members of the said Board may be removed from office by the Governor. If, by reason of death or removal from office, a vacancy shall occur in said Banking Board, the vacancy shall be filled by appointment of the Governor. The four appointed members of said Banking Board shall be men of good character and experieced in the banking business and connected with some state bank doing business as a Bank under the laws of the State of Alabama, as an officer or director of such bank.

Section 3. That Section 6281 be amended so as to read as follows:

Section 6281. No person appointed as a member of said Banking Board shall receive any compensation for his services except that each appointed member of said Banking Board shall receive Twenty-five ($25.00) Dollars per day and traveling expenses for each day said Banking Board is in session, but in no

event to exceed One Hundred ($100.00) Dollars for each member of said Board during any one month. The compensation going to the four appointed members of the Banking Board shall be paid as earned by the State Treasurer on warrants drawn by the State Auditor, in favor of each of them, which warrants are to be drawn on the certificate of the Superintendent of Banks, which certificate shall certify that a meeting of said Board was held, stating the time of meeting and stating the amount to which each member of the Board is entitled.

Section 4. That Section 6300 be amended so as to read as follows:

Section 6300. If the Board of Directors of any bank by a vote of a majority of such Board request the Superintendent of Banks to take charge of and liquidate the affairs of the Bank, if the Bank has violated any of the provisions of this Article, then the Superintendent may take charge of and liquidate the affairs of the Bank as herein provided, without calling a meeting of said Banking Board. If for any reason only two appointed members of said Banking Board attend a meeting called by the Superintendent, the Superintendent and such two members may perform the duties of such Board.

Which was adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Stanley
Bradford	Hall	Mitchell	Stokes
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walton
Carlton	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Smith	Young

—28

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jones	Smith
Bradford	Ellis of Dallas	Loflin	Stanley
Brown	Hall	Mitchell	Stokes
Caffey	Holmes	Moore	Walton
Carlton	Jack	Nixon	Warren
Cowan	Jackson	Nolen	Williams
Craft	James	Oliver	Young

—28

Nays:—None.

The Bill:

H. 172. To authorize and empower any State Institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

Was read a third time at length and passed.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Brown	Fite	Justice	Teasley
Caffey	Hall	Mitchell	Thompson
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Ellis of Dallas	James	Smith	Young

—28

Nays:—None.

The Bill:

H. 186. To fix the salary of the deputy solicitor of Washington County, Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Oliver
Bradford	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Holmes	Moore	Warren
Cowan	Jack	Nixon	Williams
Craft	Jackson	Nolen	Young
Edgar	James		

—30

Nays—None.

The Bill:

S. 129. To fix the salary of the deputy solicitor of Baldwin County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Cowan	Ellis of Shelby	Jack
Brown	Craft	Fite	Jackson
Caffey	Edgar	Hall	James
Carlton	Ellis of Dallas	Holmes	Jones

Loflin	Oliver	Thompson	Warren
Mitchell	Smith	Walker	Williams
Moore	Stanley	Walton	Young
Nixon	Teasley		

—30

Nays:—None.

The Bill:

S. 141. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Dallas	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Caffey	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Smith	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

S. 134. For the relief of James C. Williams.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Dallas	Jones	Smith
Bradford	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Teasley
Carlton	Holmes	Moore	Walker
Cowan	Jack	Nixon	Walton
Craft	Jackson	Oliver	Williams
Edgar	James		

—30

Nays:—None.

The Bill:

S. 35. To amend an Act entitled "An Act to make a donation of the State Capitol at Tuscaloosa," approved on January 28,

1852, and found on page fifty-five (55) of the Acts of Alabama, 1851-2.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jones	Stanley
Bradford	Ellis of Shelby	Justice	Stokes
Brown	Fite	Loflin	Teasley
Caffey	Hall	Moore	Thompson
Carlton	Holmes	Nixon	Warren
Cowan	Jack	Nolen	Young
Craft	Jackson	Smith	—27

Nays:—None.

The Bill:

S. 128. To amend Section 1185 of the Code of 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Loflin	Stanley
Brown	Hall	Moore	Teasley
Caffey	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jones	Smith	Williams
Edgar	Justice		—22

Nays:—None.

The Bill:

H. 71. To repeal an Act entitled An Act to Regulate the Issue of Garnishments by Justices of the Peace, and Notaries Public, with same jurisdiction and powers of a Justice of the Peace and proceedings therein when a demand owing for, or on account of personal services rendered or to be rendered, by the defendant is sought to be subjected by process of garnishment in the Counties of Colbert and Franklin, Approved February 21, 1893, in so far as the same relates to or affects Colbert County.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jackson	Nixon
Bradford	Ellis of Shelby	Jones	Nolen
Brown	Fite	Justice	Oliver
Caffey	Hall	Loflin	Smith
Cowan	Holmes	Mitchell	Stanley
Craft	Jack	Moore	Stokes

Teasley	Walton	Williams	Young	
Walker	Warren			—30

Nays:—None.

The Bill:

S. 126. To amend Section 2938 of the Code of Alabama, 1923, relating to pensions of the widows of Confederate Soldiers and Sailors.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL 126

A Bill to be Entitled An Act To further provide for the payment of pensions to widows of Confederate Soldiers and Sailors.

Be it enacted by the Legislature of Alabama:

Section 1. That any widow of a soldier or sailor, which widow has heretofore been entitled to draw a pension under the laws of Alabama, who has remarried after the death of such soldier or sailor, as the widow of whom she was so entitled to draw said pension, and who has again become a widow, shall be entitled, and may draw a Confederate pension as widows of Confederate Soldiers and Sailors now are entitled to draw.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jones	Oliver
Bradford	Ellis of Shelby	Justice	Smith
Brown	Hall	Loflin	Stanley
Caffey	Holmes	Moore	Teasley
Cowan	Jack	Nixon	Warren
Craft	Jackson	Nolen	Young

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Justice	Smith
Bradford	Ellis of Shelby	Loflin	Stanley
Brown	Hall	Moore	Teasley
Caffey	Holmes	Nixon	Thompson
Carlton	Jack	Nolen	Warren
Cowan	Jackson	Oliver	Young
Craft	Jones		

—26

Nays:—None.

The Bill:

H. 23. Amending Section 3858 of the Code of Alabama as approved August 17th, 1923.

Was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs.:

Bradford	Hall	Mitchell	Stokes
Caffey	Holmes	Moore	Teasley
Cowan	Jack	Nixon	Thompson
Craft	Jackson	Nolen	Warren
Edgar	Jones	Oliver	Williams
Ellis of Dallas	Justice	Smith	Young
Ellis of Shelby	Loflin	Stanley	

—27

Nays:—None.

The Bill:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved September 29, 1923.

Was read a third time at length and passed.

Yeas, 24; Nays, 4.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Fite	Loflin	Stokes
Caffey	Hall	Moore	Teasley
Carlton	Holmes	Nixon	Walker
Cowan	Jack	Oliver	Williams
Craft	Jackson	Smith	Young

—24

Nays:
Messrs.:

Ellis of Shelby	Nixon	Thompson	Warren

—4

BILLS TEMPORARILY POSTPONED

On motion of Mr. Craft the further consideration of the following bills was postponed until the twenty-fifth Legislative day:

H. 162. To require all State and county officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the treasurer or such other corresponding officer in their respective counties showing moneys received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent Federal census, and to provide penalties for failure to file such reports and for filing false reports.

Also:

H. 70. To repeal an act entitled "An Act to prescribe the duties of sheriffs as to inferior criminal courts in all counties having a population of over eighty thousand, according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, in which the sheriff is not on a salary basis under and by virtue of a constitutional amendment, and to fix the compensation of the sheriffs of such counties, as well as the compensation of the sheriffs of all other counties in which the sheriffs are now or may hereafter be required to perform for the inferior criminal courts of their respective counties the services and duties by this act specified and enumerated for sheriffs of counties having a population of over eighty thousand, for executing process out of such courts, and for other services rendered in or to such courts, and to provide the method of payments and to limit the amount of fees and allowances to be paid by counties in cases wherein the fine and costs are not paid by convicted defendants, and to repeal all laws, and parts of laws, general, local, private and special in conflict herewith," approved September 29th, 1923.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Craft, the further consideration of the bill:

S. 76. To authorize and empower any State Institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

Was indefinitely post-poned by the Senate.

On motion of Mr. Teasley, the further consideration of the bill:

H. 173. To provide for and create a commission form of government in all cities of the State of Alabama and having a population of not less than one thousand nor more than twenty-five thousand by the last or any subsequent Federal Census whose corporate limits may have been or may hereafter be so altered or rearranged as to include the territory of one or more other cities and towns by any act passed by this session of the Legislature or by any act that may be passed at this or any subsequent session of the Legislature; to provide for the appointment of commissioners for such cities by the Governor and fix their terms and salaries; to confer and impose upon the commissioners so ap-

pointed all the powers conferred and imposed upon commissioners of Class D cities by Article 46 of Chapter 43 of the Code of 1923 and upon consolidated cities and towns by Article 10 of Chapter 43 of the Code of 1923 and other applicable general laws of the State; to fix the time and provide for the holding of an election as to whether such cities whose limits have been so altered or re-arranged shall return to or adopt the aldermanic form of government; to provide for the division of said cities into wards; to provide for the election by the commissioners of one or more such school boards as may be necessary to comply with the Constitution and laws of Alabama and of the United States and to confer upon such cities all such powers to impose and collect special taxes from persons and property as were possessed by either of the cities and towns so included in its new corporate limits and providing that the funds so raised by special taxation shall be apportioned and expended in the manner required by the Constitution and laws of Alabama and of the United States.

Was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution your signature thereto is requested:

H. J. R. 25. Relative to the establishing of a Joint Recess Committee of the two Houses for the purpose of investigating the financial condition of Jefferson County.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing joint resolution, the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and sends same herewith to the Senate.

By Mr. Sanderson:

H. 114. To regulate the feeding of prisoners in county jails and to provide for the manner of payment for the feeding of such prisoners.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 114. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Tunstall:

H. J. R. 34. Be it resolved by the House the Senate concurring that when the two Houses adjourn today they adjourn to meet on Tuesday February 8, 1927, at 2:00 o'clock, P. M.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the Senate concurred in H. J. R. No. 34 set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended, has passed the following Senate bills:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teasley, the Senate non-concurred in the following amendment by the House to S. B. 16, the title of which is set out in the foregoing message from the House to-wit:

Amend Section One of Senate Bill No. 16 by striking out the words December 31, 1927 and inserting in lieu thereof September 30, 1928.

And requests a Committee of Conference.

Yeas, 21; Nays, 7.

Yeas:				
Messrs:				
Bonner	Jackson	Nixon	Thompson	
Bradford	Justice	Smith	Walton	
Craft	Loflin	Stanley	Warren	
Edgar	Mitchell	Stokes	Williams	
Ellis of Shelby	Moore	Teasley	Young	
Holmes				—21
Nays:				
Messrs:				
Bonner	Fite	James	Oliver	
Caffey	Jack	Jones		—7

PAIRS ANNOUNCED

Mr. Carlton announced that he and Mr. Cowan were paired on this vote; That Mr. Cowan, if present, would vote yea and he, Mr. Carlton, would vote nay.

Mr. Ellis of Dallas announced that he and Mr. Hall were paired on this vote; That Mr. Hall, if present, would vote yea, and he, Mr. Ellis of Dallas, would vote nay.

Mr. Nolen announced that he and Mr. Hines were paired on this vote; That Mr. Hines, if present, would vote nay, and he, Mr. Nolen, would vote yea.

And the President and Presiding Officer of the Senate appointed as conferees on the part of the Senate Messers. Teasley, Nolen and Bonner.

On motion of Mr. Teasley, the Senate non-concurred in the following amendment by the House to S. B. 100, the title of which is set out in the foregoing message from the House to-wit:

Amend Sections 9 and 12 of Senate Bill No. 100 by striking out the words December 31, 1927, and inserting in lieu thereof September 30, 1928.

And requests a Committee of Conference.

Yeas, 21; Nays, 6.

Messrs:				
Bonner	Jackson	Nixon	Thompson	
Bradford	Justice	Smith	Walton	
Craft	Loflin	Stanley	Warren	
Edgar	Mitchell	Stokes	Williams	
Ellis of Shelby	Moore	Teasley	Young	
Holmes				—21
Nays:				
Messrs:				
Brown	Fite	James	Jones	
Caffey	Jack			—6

PAIRS ANNOUNCED

Mr. Carlton announced that he and Mr. Cowan were paired on this vote; That Mr. Cowan, if present, would vote yea and he, Mr. Carlton, would vote nay.

Mr. Ellis of Dallas announced that he and Mr. Hall were paired on this vote; that Mr. Hall, if present, would vote yea and he, Mr. Ellis of Dallas, would vote nay.

Mr. Nolen announced that he and Mr. Hines were paired on this vote; that Mr. Hines, if present, would vote nay and he, Mr. Nolen, would vote yea.

Thereupon the President and Presiding Officer of the Senate appointed as conferees on the part of the Senate Messers. Teasley, Nolen and Bonner.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Also:

S. 87. To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Also:

S. 88. To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from the Said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

Also:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the State having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lee:

H. 170. To amend Sections 6383 and 6384 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read one time and referred to appropriate Standing Committee as follows:

H. 170. To the Committee on Banking and Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hawkins (with notice and proof.)

H. 212. To alter, to rearrange the boundaries of the town of Homewood, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced into the Legislature of Alabama at its next regular session, in substance as follows:

A BILL

Entitled An Act to alter and rearrange the boundaries of the Town of Homewood, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Homewood, Jefferson County, Alabama, shall embrace and include in its corporate limits the land within the following boundaries, to-wit:

Begin at the NW corner of section 13, township 18 south, range 3 west, Jefferson County, Alabama, run south along the west boundary of said section 13 to a point 405 feet south of the NW corner of the SW¼ of said section; thence 91 degrees 52 minutes to the right along a portion of the north boundary of the map and survey of Edgemont as reocrded in map book 16, at pages 21 and 22, Jefferson County records, a distance of 997.9 feet; thence 91 degrees 54 minutes to the left along a portion of the east boundary of Edgemont 277.9 feet; thence 88 degrees to the left 38 feet; thence 88 degrees to the right 605 feet; thence 92 degrees to the right 360 feet; thence 92 degrees to the left 393 feet; thence 88 degrees to the left 485 feet; thence 76 degrees 06 minutes to the right 285 feet; thence 26 degrees 57 minutes to the left 379.59 feet; thence 49 degrees 05 minutes to the left 104 feet; thence 87 degrees 56 minutes to the right 104 feet; thence 92 degrees 04 minutes to the right 48 feet; thence 92 degrees 04 minutes to the left 308 feet, to a point on the south boundary of section 14, township 18 south, range 3 west; thence at an angle of 87 degrees 56 minutes to the left along the south boundary of said section 14, 482 feet, to the SE corner of said section, which is also the NW corner of section 24, township 18 south,

range 3 west; thence south along the west boundary of said section 24, 648.05 feet to the center line of the Salter Road (if extended); thence 66 degrees 47 minutes to the left a distance of 100 feet, more or less, entering and coinciding with the center line of the County Highway known as Salter road; thence following the center line of said Salter Road as shown on map of Edgemont, above referred to, with its meanderings, throughout the NW¼ of the NW¼ of said section 24, to a point on the east boundary of said NW¼ of NW¼ of said section 24 at a point 35 feet, more or less, south of the NE corner of said quarter-quarter section; thence east along the east boundary of said NW¼ of NW¼ of said section 24 and along the east boundary of the SW¼ of SW¼ of section 13, township 18, south, range 3 west, to a point 258 feet south of the northeast corner of said SW¼ of SW¼ of said section 13; thence 90 degrees 53 minutes to the right 450 feet; thence 91 degrees 46 minutes to the left 258.17 feet, more or less, to a point on the north boundary of the SE¼ of the SW¼ of said section 13; thence east along said north boundary of said SE¼ of SW¼ of said section 13; and continuing along the north boundary of the south half of the SE¼ of said section 13, to the east boundary of East Street, as shown by map and survey of Ridge Crest recorded in map book 7, at page 68, Jefferson County records; thence north along said east boundary of East Street to its intersection with the north boundary of the NE¼ of the SE¼ of said section 13; thence east along said north boundary of the NE¼ of SE¼ of said section 13, and the north boundary of the NW¼ of SW¼ of section 18, township 18 south, range 2 west, to the center of the Salter Road, which road intersects the north boundary of the NW¼ of SW¼ of said section 18 at a point 416.6 feet, more or less, east of the NW corner of said quarter-quarter section; thence in a northeasterly direction following the center line of said Salter Road with its meanderings, to its intersection with the north boundary of the SE¼ of NW¼ of said section 18, at a point 258 feet, more or less, west of the NE corner of said quarter-quarter section; thence east along said north boundary of SE¼ of NW¼ of said section 18, 258.6 feet, more or less, to the NE corner of said quarter-quarter section; thence north along the east boundary of the NW¼ of said section 18 and continuing north along the east boundary of the SW¼ of section 7, township 18 south, range 2 west, and the east boundary of the SE¼ of NW¼ of said section 7, to the NE corner of said quarter-quarter section; thence west along the north boundary of the south half of the NW¼ of said section 7, to the NW corner of the SW¼ of the NW¼ of said section 7; thence south along the west boundary of said section 7, to the center of the west boundary of the NW¼ of SW¼ of said section 7; thence west along the north boundary of the south half of the NE¼ of SE¼ of section 12, township 18 south, range 3 west, to the center of the west boundary of said quarter-quarter section; thence south along the west boundary of the NE¼ of the SE¼ of said section 12 to the SW corner of said quarter-quarter section; thence west along the north boundary of the SW¼ of the SE¼ of said section 12, to the NW corner thereof; thence south along the west boundary of said SW¼ of the SE¼ of said section 12, to the SW corner thereof; thence west along the north boundary of the NW¼ of section 13, township 18 south, range 3 west, to the NW corner of said section, the point of beginning of this decription.

Section 2. This act shall go into effect on the approval by the Governor.

Chas. E. Rice,
Mayor, Town of Homewood.

STATE OF ALABAMA,
Jefferson County.

Before me, Mrs. Helen H. Goodman, a Notary Public in and for said County in said State, personally appeared Chas. E. Reid, who being by me first duly sworn, deposes and says:

He is owner and publisher of The Ensley-Wylam News, publishing The Ensley-Wylam News a newspaper published in Jefferson County, Alabama, and that the notice, a copy of which is hereto attached, that a bill to be entitled An Act to Alter, to Rearrange the Boundaries of the Town of Homewood, Jefferson County, Alabama, was published in said The Ensley-Wylam News once a wek for four (4) consecutive weeks, on, to-wit: December 23rd and 30th, 1926, and January 6th and 13th, 1927, and that said The Ensley-Wylam News newspaper is of general circulation in said Jefferson County, Alabama.

Chas. E. Reid,

Sworn to and subscribed before me, this 25th day of January, 1927.
(Seal) Mrs. Helen H. Goodman,
Notary Public.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read one time and referred to appropriate Standing Committee as follows:

H. 212. To the Standing Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill your signature thereto is requested:

H. 20. To amend Section 855 of the Code of Alabama, as amended by Section 3 of an Act approved September 29, 1923.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 53. To provide for the appointment of a stenographer by each Solicitor of each Judicial Circuit in the State, composed of one county with three circuit judges, to fix the term of office of

said stenographer, to prescribe the duties of said stenographer, and to fix the compensation of said stenographer.

Said Governor's Message being in the following words and figures as follows, to-wit:

To the Legislature of Alabama:

To the Legislature of Alabama,
Gentlemen of the House and Senate,

I am returning herewith to the House, as the body in which said House Bill No. 53 originated, said House Bill No. 53 without my approval because in my judgment it is a local measure and notice by publication of the intention to pass such measure does not appear to have been given as required by the Constitution. I suggest the following executive amendments which in my judgment would render the bill valid and effective.

1st. Amend the title of the bill by striking therefrom the words "composed of one county with three circuit judges" and insert in lieu thereof the following words, "now or hereafter created composed of one county having more than two circuit judges and less than nine circuit judges".

2nd. Amend Section one (1) thereof by striking therefrom the words "any county composing a judicial circuit with three circuit judges" and inserting in lieu thereof, "any circuit now or hereafter created composed of one county having more than two circuit judges and less than nine circuit judges."

With these amendments the bill will have my approval.

Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Bill H. 53 by a vote of a majority of the whole number elected to the House, said vote being Yeas, 69; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the House, said vote being Yeas 73; Nays 0.

And said bill together with the Governor's Message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Craft, the Senate concurred in the amendment proposed by His Excellency, The Governor to H. B. 53, the title of which and said proposed amendment is set out in the foregoing message from the House.

Yeas, 24; Nays, 0.

Yeas:

Messrs:			
Bradford	Craft	Fite	Jack
Brown	Edgar	Holmes	Jackson

James	Mitchell	Smith	Walton
Jones	Moore	Stokes	Warren
Justice	Nixon	Teasley	Williams
Loflin	Nolen	Thompson	Young

—24

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Jack	Moore	Teasley
Brown	Jackson	Nixon	Thompson
Craft	James	Nolen	Walton
Edgar	Jones	Smith	Warren
Ellis of Shelby	Justice	Stanley	Williams
Fite	Loflin	Stokes	Young
Holmes	Mitchell		

—26

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bills and ordered same sent forthwith to the Senate without Engrossment.

By Mr. Howard: (with Notice and Proof):

H. 199. For the relief of Claudia Smith, Custodian of the Funds of the Inferior Court of Autauga County, Alabama, and to authorize the payment out of the funds the sum of $380.00, for services rendered as Custodian of said funds for a period of time beginning Oct. 1st, 1923 and ending Jan. 1st. 1927 at the rate of $10.00 per month.

And sends same herewith to the Senate with Notice and Proof thereto attached, and herewith exhibited, as follows:

NOTICE

Notice is hereby given that the following bill will be introduced at the regular session of the legislature of Alabama, which meets at Montgomery, Alabama, January, 1927.

A Bill to be Entitled an Act for the relief of Claudia Smith, Custodian of the Funds of the Inferior Court of Autauga County, Alabama, and to authorize payment out of the funds the sum of $380.00 for services rendered as Custodian of said funds for a period of time beginning October 1, 1923, and ending January 1, 1927, at the rate of $10.00 per month.

Be it Enacted by the Legislature of Alabama.

Section 1. That the Custodian of the fund derived from the fees and fines paid into the Treasury of Autauga County, Ala., from the Inferior Court of Autauga County Alabama, be authorized and empowered to pay to Claudia Smith, Custodian of said Fund the sum of $380.00 for services rendered as Custodian of said Fund.

Section 2. Be it further enacted that the provision of this Act shall go into effect upon its passage and approval by the Governor.

THE STATE OF ALABAMA,
Autauga County.

Before me, J. F. Posey, Probate Judge of Autauga County, Alabama, personally appeared Harry M. Doster, known to me to be the Publisher of The Prattville Progress, a newspaper published in the City of Prattville, said County and State, who certifies that the attached notice appeared in said paper four consecutive issues, in the issues of December 23, December 30, 1926, and January 6, and January 13, 1927.

Harry M. Doster,
Publisher

Sworn to and subscribed before me, this 21st day of Jan. 1927.

J. F. Posey,
Judge of Probate of Autauga County, Ala.

Also:

By Mr. Edwards: (With Notice and Proof):

H. 129. To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

And sends same herewith to the Senate with Notice and Proof thereto attached.

NOTICE

Notice is hereby given that a bill will be introduced at the next regular session of the Legislature of Alabama to provide for the election of a County Superintendent of Education by the Qualified Electors of Choctaw County, to fix his term of office, to prescribe his salary and manner of payment, to define his qualifications powers and duties, to provide for filling vacancies in said office by appointment by the Governor, to require his giving bond in the sum of $10,000 with a Surety Company qualified to do business in this State, the premium to be paid by the County.

The object of this bill is to give to the people of Choctaw County the right to elect their Superintendent of Education, to fix his salary at 2,400.00 per year, said compensation to include any and all expenses and the salary of said Superintendent, to be paid from such school funds of the County as are legally available for such purpose.

W. R. Edwards.

THE STATE OF ALABAMA,
Choctaw County.

Personally appeared before me the undersigned authority, R. N. Moody, Editor and Publisher of The Choctaw Advocate, a newspaper published in Butler, said county and state, who first being duly sworn by me, deposes and says the attached notice was published in said paper for four (4) consecu-

tive weeks, beginning with the issue of December 22nd 1926 and ending with issue of January 12th, 1927.

R. N. Moody,
Editor and Publisher

Sworn to and subscribed before me this the 13th day of January, 1927.

W. H. Lindsey,
Judge of Probate.

Also:

By Mr. Edwards: (With Notice and Proof):

H. 201. To abolish the Board of Revenue of Choctaw County, to establish in lieu thereof a Board of Commissioners of Choctaw County and to define and regulate its authority, powers and duties, to divide the County into four Commissioners Districts, to provide for appointment and election of the members of said Board and to provide for their salaries and fix their terms of office.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the next regular session of the Legislature to create and establish a Board of Commissioners of Choctaw County and to define its authority, duties and powers; to provide for regular and special terms and meetings of said board; to fix the compensation of the members thereof and to fix their terms of office; to designate four commissioner districts and fix their boundaries; to provide for appointment of four commissioners, and the constituting of the Probate Judge as ex officio member and chairman and keeper of the minutes and records of said board; providing for a temporary chairman to act in the absence of the Probate Judge, providing a salary of not exceeding $1,200 per annum for each member of said board to be paid monthly and requiring each member of the board to have direct supervision of the construction, repair and maintenance of roads and bridges in his particular district, providing that each member of the board with the exception of the ex-officio member shall be elected only by the qualified electors and not from the county at large, authorizing said board at its discretion and when in its opinion needed, to employ a county engineer and providing for his compensation and fixing his qualifications; to confer upon said board such general rights, powers, duties and authority as are now conferred by the general laws of the State of courts of county commissioners or like governing bodies of the counties; to require that all needs for supplies, machinery, implements or other purchases to be made for the necessary construction, repair and maintenance of roads and bridges in any district of the county be expressed in requisitions submitted to the whole board at any meeting thereof for said board's action or approval or disapproval in whole or in part, said requisition to be made out in detail and sworn to by the member of the Board of Commissioners of the particular district; to provide that where purchases are to be made amounting to over $100 considering requisitions for all the districts, the same be made on invited competitive bids; to provide for making emergency purchases; to authorize the board, if or when decided expedient, protective or necessary, to constitute the ex officio member of said board or any other member thereof as purchasing agent to purchase supplies or whatever is necessary to carry on road work in the county or such other supplies as may be necessary for the county or any office or

offices, activity or agent thereof, including stationery or any other office supplies and to require that requisitions be made therefor itemized and sworn to, and that such requisitons must be approved by the board at regular meetings thereof before purchase is made; to abolish the Board of Revenue of Choctaw County; to prohibit the purchase of any goods or material or supplies for the use of the county or any office, agency or activity thereof from any member of the board, any person connected with such a member of consanguinity or affinity within the third degree or from any firm or corporation of which any such member or relative of a member of the board may be a partner or stockholder; to prohibit any commissioner on the Board of Commissioners from hiring or from contracting with any person related to said commissioners or any member of said board to do any road or bridge work other than in his official capacity for which his salary is provided, and to prohibit any commissioner from using his own teams or the teams of any person renting or cultivating lands of any commissioner or the teams of any person in the personal employ of any commissioner or hiring for labor on public roads and bridges any person in the personal employ of any commissioner in any capacity. To provide that the members of the present Board of Revenue of Choctaw County shall constitute the Board of Commissioners of Choctaw County, each member to serve until his successor shall have been elected and qualified, and to provide for filling by appointment any vacancies occurring in the membership of said board.

W. R. Edwards.

THE STATE OF ALABAMA,
Choctaw County.

Personally appeared before me the undersigned authority, R. N. Moody, Editor and Publisher of the Choctaw Advocate, a newspaper published in Butler, said County and State, who first being duly sworn by me, deposes and says the attached notice was published in said paper for four (4) consecutive weeks, beginning with the issue of December 22nd, 1926, and ending with issue of January 12th, 1927.

R. N. Moody,
Editor and Publisher.

Sworn to and subscribed before me this the 13th day of January, 1927.
W. H. Lindsey, Judge of Probate.

Also:

By Mr. Edwards (With notice and proof):

H. 202. To amend an Act entitled An Act to impose a per capita Road Tax in lieu of Personal Service on the Public Roads of Choctaw County, Alabama, to provide for the Collection of such Tax and the Disposition of the Proceeds thereof; to provide for the appointment of a Road Supervisor for said county; to provide for the appointment of Road Overseers; to authorize the appointment of a Road Engineer, and to otherwise provide for the more efficient construction, maintenance and improvement of the Public Roads and Bridges in said Choctaw County, Alabama, approved Sept. 27, 1923.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited, as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the next regular session of the Legislature of Alabama to amend an act approved September 27, 1923, entitled:

AN ACT

To impose a percapita road tax in lieu of personal service on the public roads of Choctaw County, Alabama; to provide for the collection of such tax and the disposition of the proceeds thereof; to provide for the appointment of a road supervisor of said county; to provide for the appointment of road overseers to authorize the appointment of a road engineer and to otherwise provide for the more efficient construction, maintenance and improvement of the public roads and bridges of Choctaw County, Ala.

It is intended to amend the act by striking out, wherever they may occur in the Act, the words Board of Revenue and substituting in lieu thereof the words Board of Commissioners, and to further amend the act by striking out all provisions therein authorizing the employment of a road supervisor and the fixing of his compensation for salary and traveling expenses and to provide that all duties now performed by such road supervisor under the provisions of the act to be amended shall be performed or be under the supervision of the commissioners individually or as a board of commissioners; and all rights, powers and authority granted under said Act to said road supervisor shall be conferred upon the commissioners individually or as a board of commissioners; to further amend the act referred to by providing for the appointment of road overseers fixing their terms of appointment and providing for appointing their successors; to further provide for the employment of a County Engineer when and if deemed advisable by the board of commissioners for any purpose necessary in the construction, maintenance and repairs of roads and bridges in the county, and providing that before the employment of said engineer is had his qualifications must be approved by the chief highway engineer of the State Highway Department.

W. R. Edwards.

THE STATE OF ALABAMA,
Choctaw County.

Personally appeared before me the undersigned authority, R. N. Moody, Editor and Publisher of the Choctaw Advocate, a newspaper published in Butler, said county and State, who first being duly sworn by me deposes and says the attached notice was published in said paper for four (4) consecutive weeks, beginning with the issue of December 22nd, 1926, and ending with issue of January 12th, 1927.

R. N. Moody, Editor and Publisher.

Sworn to and subscribed before me this the 13th day of January, 1927.

W. H. Lindsey, Judge of Probate.

Also:

By Mr. Johnson (With notice and proof):

H. 203. To fix and provide for the payment out of the County Treasury the salary for the Deputy Solicitor for Clarke County, Alabama, and to repeal all laws and parts of laws in conflict herewith.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exihibted as follows:

NOTICE OF INTENTION

To apply to the next regular session of the Legislature of Alabama for the following local law for Clarke County, Alabama.

AN ACT

To fix and provide for the payment out of the County Treasury the salary for the Deputy Solicitor for Clarke County, Alabama, and to repeal all laws and parts of laws in conflict herewith.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, there shall be paid out of the County Treasury of Clarke County, Alabama, to the deputy solicitor of said county, an annual salary, in equal monthly installments, Nine Hundred Dollars. Said salary to be in lieu of all fees or salary provided for deputy solicitors in the Code of Alabama of 1923, Section 5523.

Section 2. The payment of said salary to be by warrant of the Probate Judge of said county, drawn on the treasurer of said county, on the first day of each month, payable to the deputy solicitor of said county for his salary.

Section 3. All laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed (As to Clarke County, Alabama.)

This act to become effective immediately upon its passage and approval.

THE STATE OF ALABAMA,
Clarke County.

Before me, Paul S. Jones, a Notary Public in and for said County and State, personally appeared C. A. Carlton, publisher of "The Clarke County Democrat", a weekly newspaper publisher in Clarke County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper, once a week for four (4) consecutive weeks and being in the issues of said newspaper on the following dates, viz., December 9th, 16th, 23rd, and 30th, 1926.

G. A. Carlton,
Publisher.

Sworn to and subscribed before me this the 6th day of January, 1927.

Paul S. Jones,
Notary Public, Clarke County, Alabama.

Also:

By Mr. Byars (With notice and proof):

H. 221. To create the office of County Solicitor for Lawrence County, Alabama, by the qualified voters of said County, to prescribe his powers, duties and qualifications, to provide for his compensation and fix the term of his office, to provide for his election and for the election of his successor and to repeal all General and Local laws in conflict with the provisions of this Act in so far as they relate to said Lawrence County.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited, as follows:

Affecting the Citizens of Lawrence County.

Notice is hereby given that I will introduce a bill at the next regular session of the Legislature of Alabama.

The substance of such bill is to create the office of County Soliictor of Lawrence County, Alabama, to provide for the election of such officer, by the qualified voters of said county to prescribe his powers, duties and qualifications, provide for his compensation and fix the term of his office, and provide for his election, provide for his recall, provide for the date of his

election, the time of the election of his successor and to repeal all general and local laws in conflict therewith so far as they relate to said county.

J. D. L. Byars,

This Dec. 14, 1926.

STATE OF ALABAMA,
Lawrence County.

Before me W. R. Jackson, Judge of Probate, in and for said County, in said State, on this day personally appeared J. D. L. Byars Editor and Publisher of The Advertiser, a newspaper published weekly in Moulton, Lawrence County, Alabama, who being by me first duly sworn deposes and says that the attached notice was published in The Advertiser, a newspaper published weekly in Moulton, Lawrence County, Alabama, once a week for four consecutive weeks, beginning with its issue of December the 16, 1926, and ending with issue of January the 7, 1927.

J. D. L. Byars,
Editor and Publisher of The Advertiser.

Sworn to and subscribed before me this the 10th day of Jan. 1927.

W. R. Jackson,
Judge of Probate.

Also:

By Mr. Moxley:

H. 206. To regulate the expenditure of the proceeds from the excise tax and other motor fuels, as eancted in 1923, upon the public roads and bridges in an equitable manner in all counties of this State having a population of 23,000 and not over 23,100 people, according to the last Federal census.

Also:

By Mr. Jordan of Etowah (With notice and proof):

H. 253. To relieve the Tax Assessor of Etowah County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessments lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
County of Etowah.

Before me, Ed. Nunnally, a Notary Public in and for said County and State, personally appeared J. L. Meeks, who is known to me, who being first duly sworn doth depose and say that he is Business Manager of the Gadsden Times, a newspaper published in Gadsden, in Etowah County, Alabama; that once each week, for four consecutive weeks, there was published in said Gadsden Times the following notice, to-wit:

NOTICE

AN ACT

To relieve the Tax Assessor of Etowah County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same per-

manently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Be it enacted by the Legislature of Alabama:

Section 1. That the Tax Assessor of Etowah County, Alabama, shall not be required to prepare the book of assessments, but in lieu thereof shall be required to arrange in alphabetical order, according to beats, original assessment lists, and cause the same to be permanently bound and such assessment lists when bound shall constitute the book of assessments to all intents and purposes. Such as a matter of record, and provided that in making the Collector's abstracts such abstracts shall be made direct from the assessment lists.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act, whether general, local or special, be and the same are hereby repealed.

Section 3. That this Act shall be effective on its approval by the Governor.

That the dates of the issue of said newspaper in which said notices appeared were as follows: January 8th, 1927; January 15th, 1927; January 22nd, 1927; January 29th, 1927; that this notice was published without cost to the State of Alabama.

J. L. Meeks,
Business Manager of the Gadsden Times.

Sworn to and subscribed to before me this 29th day of January, 1927.

Ed. Nunanlly,
Notary Public, Etowah County, Alabama.

Also:

By Mr. Monk (with notice and proof):

H. 239. To provide for the election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for a special election to be held to elect such County Superintendent under this Act and to provide for the election of his successor in office.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced in the general session of the Legislature, which convenes on January 11th, 1927.

AN ACT

To provide for the Election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, to provide for a special election to be held to elect such County Superintendent under this Act and to provide for the election of his successor in office.

Be it enacted by the Legislature of Alabama:

Section 1. That a County Superintendent of Education for Dale County, Alabama, shall be elected by the qualified electors of Dale County Alabama, who shall hold office until his successor is elected and qualified as hereinafter provided. That within three months after the pasusage and approval of this act a special election shall be held on a day to be designated

and fixed by the Probate Judge of Dale County, Alabama, for the election of a County Superintendent of Education, who shall hold office until the next general election to be held in the State of Alabama and said County of Dale and until his successor elected therein shall have qualified; that said special election shall be conducted and the vote canvassed and the results declared in all respects as now provided by the general election laws of Alabama for the election of county officers. Provided that the person elected as County Superintendent at said special election shall enter upon the duties of his office July 1st, 1927.

Section 2. That at the next general election to be held in said County and State a County Superintendent of Education for Dale County, Alabama, shall be elected who shall hold office for a term of four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years thereafter, a County Superintendent of Education for Dale County, Alabama, shall be elected by the qualified voters of said County at the regular election, nomination for which office may be made in primary elections as other County officers.

Section 3. That the salary of said Superintendent of Education shall be fixed by the County Board of Education of Dale County, Alabama, which salary shall not be less than $2,000.00 nor more than $3,000.00 per annum, and which salary shall be paid in the same way and manner as now provided under the general laws of the State of Alabama for the payment of County Superintendents of Eduction in the several Counties of the State.

Section 4. That said County Superintendent shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State of Alabama in the conduct of the office of the County Superintendent of Education; and no person shall be eligible for political party nomination to the office of County Superintendent of Education of said County who does not as now required hold an Alabama Certificate in Administration and supervision based as a minimum upon graduation from a standard normal school or equivalent education with at least one year of additional study of college grade, and proof of three years of successful teaching experience; provided, that if no person meeting these requirements qualifies for nomination and election as provided in this Act, the County Board of Education shall appoint a superintendent of education as provided by general law regulating the appointment of superintendents; that no person shall be eligible to such office who is not a qualified elector of Dale County, Alabama, at the time of the nomination or election to such office.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the County Board of Education, and the person so appointed shall hold office until the next general election thereafter when his successor shall be elected; that should any County Superintendent be removed for cause by the County Board of Education of Dale County, such vacancy shall be filled by appointment of the State Superintendent of Education, and the appointee shall hold office as in the case provided by appointment by the County Board of Education. Provided, that the County Board of Education may remove the County Superintendent of Education for immorality, misconduct in office, incompetency, or willful neglect of duty, or when the best interests of the schools require it; any of which causes must be alleged and proved and the County Superintendent of Education shall have the right to be heard in his defense as in cases of impeachment against county officers, and all such hearings shall be before the County Board of Education and shall be conducted as in cases provided under the general laws for impeachment of County officers, and provided that upon such removal for cause any County Superintendent may appeal to the Circuit Court and have a trial by jury.

Section 6. That the duties and powers prescribed by the general laws of Alabama for the office of County Superintendents in the supervision of the schools of the several counties shall apply to and be incumbent upon the County Superintendent. The County Superintendent elected or appointed under the provisions of this act, and before entering upon the duties of said office, must take the oath of office prescribed by the Constitution, and give bond in an amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties of this office, and for the accounting and paying over to the proper authority all moneys coming into his hands.

Section 7. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

This the 5th day of January, 1927.

W. F. Monk.

STATE OF ALABAMA,
County of Montgomery.

Before me, Cyrus B. Brown, a Notary Public in and for said State and county, this day personally appeared, Jesse B. Adams, who is nown to me and known to me to be the publisher of the Southern Star, a newspaper published at Ozark, Dale county, Alabama, and who being by me first duly sworn deposes and says: That the notice attached above "To provide for the election of a county superintendent of education for Dale county, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, to provide for a special election to be held to elect such county superintendent of education under this act and to provide for the election of his successor in office", was published once a week for four consecutive weeks in the said Southern Star commencing on Jany. 5, 1927, and ending on Jany. 26, 1927.

Jesse B. Adams,
Publisher Southern Star.

Subscribed and sworn to before me this the 28th day of January, 1927.

Cyrus B. Brown,
Notary Public, Montgomery County, Alabama.

Also:

H. 238. To repeal an Act entitled "An Act to provide and require the payment in cash only of fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County."

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notce is hereby given that the following bill will be introduced in the general session of the Legislature, which convenes on January 11th; 1927.

AN ACT

To repeal an act entitled "An Act to provide and require the payment in cash only for fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County."

Be it enacted by the Legislature of Alabama:

Section 1. That an act entitled "An Act to provide and require the payment in cash only of fines and forfeitures accruing or becoming due to

Dale County, Alabama, or to the State of Alabama, for the use of Dale County," approved September 3, 1923, be and the same is hereby repealed.

This the 5th day of January, 1927.

W. F. Monk.

STATE OF ALABAMA,
Montgomery County.

Before me Cyrus B. Brown, a Notary Public in and for said State and county, this day personally appeared, Jesse B. Adams, who is known to me and known to me to be the publisher of The Southern Star, a newspaper published at Ozark, Dale county, Alabama, and who being by me first duly sworn deposes and says: That the notice attached above "To repeal an act entitled an act to require and provide the payment in cash only for fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County", was published once a week for four consecutive weeks in the said Southern Star commencing on Jany. 5th, 1927 and ending on Jany. 26, 1927.

Jesse B. Adams,
Publisher Southern Star.

Subscribed and sworn to before me this the 28th day of January, 1927.

Cyrus B. Brown,
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Monk (with notice and proof):

H. 240. To repeal an Act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act."

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced in the general session of the Legislature, which convenes on January 11th; 1927.

AN ACT

To repeal an act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act."

Be it enacted by the Legislature of Alabama:

Section 1. That an Act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including ve-

hicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act." approved September 26, 1923, be and the same is hereby repealed.

This the 5th day of January, 1927.

W. F. Monk.

STATE OF ALABAMA,
Montgomery County.

Before me, Cyrus B. Brown, A Notary public in and for said State and county, this day personally appeared, Jesse B. Adams, who is known to me and known to me to be the publisher of the Southern Star, a newspaper published at Ozark, Dale county, Alabama, and who being by me first duly sworn, deposes and says: That the notice attached above "To repeal an Act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale county, Alabama" etc. was published once a week for four consecutive weeks in the said Southern Star commencing on Jany. 5th, 1927 and ending on Jany. 26th, 1927.

Jesse B. Adams,
Publisher Southern Star.

Subscribed and sworn to before me this the 28th day of January, 1927.

Cyrus B. Brown,
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Lovelace (With notice and proof):

H. 135. To fix the salary of the Deputy Solicitor for Escambia County, Alabama, and provide for the manner of payment of the same.

And sends same herewith to the Senate with Notice and Proof thereto attached, and herewith exhibited as follows:

PUBLIC NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of the following Act:

AN ACT

To fix the salary of the Deputy Solicitor for Escambia County, Alabama, and provide for the manner of payment of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That the salary of the Deputy Solicitor for Escambia County, Alabama, be, and the same hereby is, fixed at the sum of Eighteen Hundred ($1800.00) dollars per year, payable out of the county treasury in monthly installments of One Hundred and Fifty ($150.00) dollars per month, the payment of such salary to be by warrant of the probate judge drawn on the treasury of the county on the first of each month; provided, however, that in case the amount of solicitor's fees paid into the county treasury during any one years shall not equal the sum of Eighteen Hundred ($1800.00) dollars the said Deputy Solicitor shall receive for his services only such amount as corresponds with the amount of solicitors fees paid into the county treasury during that year.

Section 2. That all laws and parts of laws now in conflict with the provisions of this Act are hereby repealed.

Section 3. The provisions of this Act shall take effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

I, W. E. Brooks, publisher of The Brewton Standard, a weekly newspaper published at Brewton, Escambia County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper, clipped from one of the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for four consecutive weeks on the following dates, to-wit:

December 30th, 1926, January 6th, 1927, January 13th, 1927, January 20th, 1927.

W. E. Brooks,
Publisher of The Brewton Standard

Sworn to and subscribed before me this 24th day of January, 1927.

Zack Henderson,
Notary Public.

Also:

By Mr. Hawkins:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Also:

By Mr. Byars:

H. 126. To authorize the Board of Education of any county, in order to acquire, construct or repair any public school building in any school district of such county or for paying for a public school building or buildings already built in any such district, or to raise money for any such purpose, to issue interest bearing school warrants.

Also:

By Mr. Rankin (With Notice and Proof):

H. 223. To amend Sections 10 and 20, and add Section 24½ to an act entitled an Act "To provide for the better building maintenance and protection of the public roads and bridges and ferries of Limestone County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the appointment of a county engineer and to fix his duties", Approved September 19, 1923.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given of the intention to have enacted at the next regular session of the Legislature of Alabama the following law: an act, entitled an act, to amend Sections 10 and 20 and add Section 24 1-2 to, an act entitled

AN ACT

"To provide for the better building maintenance and protection of the public roads and bridges and ferries of Limestone County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the appointment of a county engineer and to fix his duties." Approved September 19, 1923.

Be it enacted by the Legislature of Alabama:

That section 10 be amended to read as follows:

Section 10. That the county engineer when so directed by the court of county commissioners shall prepare a map of the county, showing the location of all public roads and indicating the character of improvements which has ben made on each road. A blue-print of each map when made shall be deposited for safe keeping in the vault of the probate office, and also a copy posted in the office of the county engineer.

That section 20 be amended so as to be as follows:

Section 20. That the court of county commissioners shall have authority by resolution duly adopted by said court to require all male inhabitants of the county who are over twenty-one years of age and not over fifty years of age, except those exempt by the following section, to work on the public roads of the county during each year for a period of not less than five days and not more than ten days,—said resolution to provide the number of days which they shall work—provided further that such male inhabitants may pay in lieu of such personal service a sum to be fixed by said resolution of not less than $2.50 and not more than $5.00. Said resolution shall also fix the time by which said sum so adopted may be paid in lieu of such personal service. It being further provided that all money so paid shall be paid to the Probate Judge of the county, and shall go into the road and bridge fund and shall be used only for the construction and maintenance of roads and bridges in the beat in which the person so paying shall reside at the time of making such payment. The commissioners court shall have authority to provide rules and regulations carrying into effect said resolution and also penalties for the violation of said resolution, said rules, regulations, and penalties not to be in conflict with the other provisions of this act.

Section 24 1-2. That it shall be unlawful for any person to place, or cause to be placed, any obstruction of any nature whatsoever which will obstruct or impede the flow of water from any public road or in any drainage ditch along or across any public road or to obstruct the natural outlet for any water from any public road in Limestone County. Any person violating this act shall be guilty of a misdemeanor and on conviction shall be fined not less than $10.00 nor more than $100.00.

THE STATE OF ALABAMA,
Limestone County.

R. H. Walker, being duly sworn says: that he is publisher of the Limestone Democrat, a wekly newspaper published in Athens, Limestone County, Alabama; that the above and foregoing notice of intention to have enacted a local law for Limestone County, Alabama, was published in said Limestone Democrat for four successive weeks, said notice appearing in the issues of said paper of date December 23rd, December 30th, 1926, and January 6th and January 13th, 1927.

R. H. Walker.

Subscribed and sworn to before me this January 15, 1927.
(Seal)

Ruth Turner,
Notary Public.

Also:

By Mr. Rankin (With notice and proof):

H. 224. To amend Sections 12, 16 and 21, and repeal Section

23, and add Section 13½ to, an act entitled an act: "To establish an inferior court to be known as the Inferior Court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1500 or more according to the last Federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO ENACT LOCAL LAW

Notice is hereby given of the intention to have enacted a local law at the next regular session of the Legislature of Alabama; substantially as follows:

AN ACT

To amend Sections 12, 16 and 21, and repeal Section 23, and add Section 13 1-2 to, an act entitled an act: "To establish an inferior court to be known as the Inferior Court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens, Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1500 or more according to the last Federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

Be it enacted by the Legislature of Alabama that Sections 12, 16 and 21 of an act, entitled an act "to establish an inferior court to be known as the Inferior Court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1500 or more according to the last Federal census; to define the jurisdiction and powers of said court and the judges and officers thereof to provide for a place of holding said court for the terms, salaries and compensation of the judge and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof," approved October 6, 1920, be amended so as to read as follows, and that Section 23 of said act be repealed and that Section 13½ as hereinafter set out be added thereto:

Section 12. The fees and costs of said court shall be the same as are now allowed to justice courts of this state, except as otherwise herein provided, and shall be collected by the judge of said court. All of the costs, fees, fines and forfeitures collected by him in criminal cases shall be paid into the county treasury quarterly in any event, or monthly if desired by said judge so to do. The money so paid into the treasury of the county must be kept in a separate fund known as "the Inferior Court fund" and must be kept separate and apart from the other funds of said county.

Section 16. The judge of said court shall receive a salary of $1350.00 per annum, payable monthly on the first day of each calendar month upon warrants drawn on the county treasury of the county by the judge of said court, and shall be payable only out of the "Inferior Court funds" and shall not be a claim against any other funds of the county. And in addition thereto said judge shall receive all of the costs and fees taxed and collected by him in civil cases filed in said court, except the fees for services by other officers.

Section 21. It shall be the duty of the judge of said court to ascertain the balance in the county treasury to the credit of said "Inferior Court funds" on the third day of July of each year, and to notify the Probate Judge of said county of the balance to the credit of said fund in the county treasury, and it shall be the duty of the Probate Judge to draw a warrant for the amount of said balance against said Inferior Court funds and transfer the same to the credit of the Fine and Forfeiture fund of said county.

Section 23. That Section 23 of said act be and the same hereby is repealed.

Section 13½. The judge of said Inferior Court shall receive for issuing a certificate of any judgment as provided in Section 13 the sum of fifty cents (50c) to be paid by the plaintiff in said judgment.

THE STATE OF ALABAMA,
Limestone County.

R. H. Walker being duly sworn says: that he is publisher of the Limestone Democrat, a weekly newspaper published in Athens, Limestone County, Alabama; that the above and foregoing notice of intention to have enacted a local law for Limestone County, Alabama, was published in said Limestone Democrat for four successive weeks, said notice appearing in the issues of said paper of date December 23rd, December 30th, 1926, and January 6th and January13th, 1927.

R. H. Walker,

Subscribedand sworn to before me this January 15, 1927.
(Seal) Ruth Turner,
Notary Public.

Also:

By Mr. Bryant (With Notice and Proof):

H. 151. To fix the salary of the Deputy Solicitor of Macon County at twelve hundred dollars per annum, payable in monthly installments of one hundred dollars, and to provide for the payment thereof.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that, at the next general meeting of the legislature of Alabama, in January, 1927, the following bill will be introduced for passage to become a law for the County of Macon, viz:

Be it Enacted by the Legislature of Alabama:

That the salary of the Deputy Solicitor of Macon County shall be fixed at Twelve Hundred Dollars per annum, payable in monthly installments of One Hundred Dollars, to be paid out of the general fund of the county on warrants drawn by the Probate Judge of said County on the Treasurer thereof and payable on the 5th of each month. This Act shall take effect

immediately upon the approval of the Governor. All local or general laws in conflict with this Act are hereby repealed.

STATE OF ALABAMA,
Macon County.

Before me, C. W. Hare, a Notary Public in and for said County and State, this day personally came before me W. P. Campbell, known to me to be the Editor and Manager of The Tuskegee News, a Newspaper published at Tuskegee, Macon County, Alabama, who being by me first duly and legally sworn to speak the truth, deposes and says: The Attached Notice, which contains a Copy of the Proposed Bill, relative to fixing the salary of the Deputy Solicitor of Macon County, Alabama, was published once a week for four consecutive weeks in said Newspaper, beginning December 2nd, 1926 and ending Dec. 30th, 1926, and before making this affidavit.

This 4th day of January, 1927.

W. P. Campbell,

Sworn to and subscribed before me this 4th Day of January, 1927.
(Seal) C. W. Hare,
Notary Public.

Also:

By Mr. Hampton (with notice and proof):

H. 244. To amend an Act entitled An Act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a Clerk, and a Supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said Board of Commissioners approved September 20th, 1923, by amending Sections 3, 7, 11, 12, 1-2, 14, 15, and 16, and by adding thereto Section 8 1-2.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the session of the Legislature of Alabama to convene on January 11th, 1927, application will be made for passage of a law substantially as set out in the following bill, viz:

A BILL

To be entitled An Act to Amend

AN ACT ENTITLED

To amend the title and the act entitled "An Act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county and abolishing said Board of Revenue of Madison County; to divide said county of Madison into Five Districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compnsation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this state; authorizing the appointment of said Board of County Commissioners of a clerk, and a Supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of County Commissioners; approved February 3rd, 1923, approved September 20th, 1923, by amending sections 3, 7, 11, 12 1-2, 14, 15 and 16 thereof, and by adding thereto section 8 1-2.

Section 1. Be it enacted by the Legislature of Alabama, that Section 3 of an act entitled An Act To amend the title and the act entitled "An Act to create and estab'ish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said County and abolishing said Board of Revenue of Madison County; to divide said County of Madison into five (5) Districts defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; authorizing the appointment of said Board of County Commissioners of a Clerk; and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners; approved February 3rd, 1923, approved September 20th, 1923, be and is hereby amended so as to read as follows:

Section 3. That for the purpose of this Act and the enforcement thereof, the said County of Madison is hereby divided into five subdivisions, to be known as Districts, and numbered respectively, from one to five, both inclusive.

District No. 1, shall embrace and be composed of all that territory now constituting beats or precincts numbered 14, 17, 2, 23, 12, and 11 and known respectively as Wells, Plevna, New Market, Sulphur Springs, Hazel Green, and Meridianville.

Dstrict No. 2 shall embrace and be composed of all that territory now constituting beats or precincts numbered 15, 3, 22, and 16 and known respectively as Gurley, Maysville, Hurricane No. 1 and 2, and Deposit.

Distrist No. 3 shall embrace and be composed of all that territory now constituting beats or precincts numbered 6, 18, 5, 13, 19, and 4, known respectively as Whitesburg, Clouds Cove, New Hope, Poplar Ridge, Owens Cross Roads and Colliers.

District No. 4 shall embrace and be composed of all that territory now constituting beats or precincts numbered 10, 9, 21, and 8, and known respectively as Madison Cross Roads, Cluttsville, Monrovia and Madison.

District No. 5 shall embrace and be composed of all that territory now constituting beats or precincts numbered 1, 7, 20, 24 and 25, and known respectively as Huntsville, Lincoln, Mills, Dallas, West Huntsville and Merrimack.

Section 2. Be it further enacted, that Section 7 of said act be and is hereby amended so as to read as follows:

Section 7. The Chairman of the Board of County Commissioners shall receive a salary of Twenty-five Hundred Dollars ($2,500.00) per annum, payable monthly from the County Treasury and the other four members of the Board of County Commissioners shall each receive Twelve Hundred Dollars ($1200.00) per annum, payable monthly from the County Treasury.

Section 3. Be it further enacted, that said act be and is hereby amended by adding thereto Section 8 1-2 in words and figures as follows, viz:

Sections 8 1-2. Each of the other members of the Board of Commissioners shall be and he is required at all times to look after and attend to the construction and maintenance of roads already established, with the culverts and bridges thereon, in the District which he is elected to represent and shall be, and he is required during the months of July, August, September and October in each year, to devote his entire time and attention to the road, bridge and culvert work of the County in the District which he is elected to represent, except the days on which the Board of County Commissioners is in regular or called session; Provided, however, that if either of the members of said Board of County Commissioners shall at any time be incapacitated, or for any other reasons be unable to perform the duties required of him as herein set out, he shall be, and he is hereby required to employ a capable and experienced overseer to take charge of the work in his respective district, who is during the period of such absence or incapacitation required to perform such duties as are herein required to be performed by each member of the said Board of County Commissioners which must be done without additional cost to the county.

Section 4. Be it further enacted, that section 11 of said act be and is hereby amended so as to read as follows:

Section 11. The Board of County Commissioners may employ a competent civil engineer, who has had at least one year's experience as a highway engineer in the construction of modern roads, and shall decide the duration of such employment, and fix his compensation and prescribe his duties. The Board of County Commissioners shall have the right and power to discharge said engineer at any time, and shall not be required to give reasons therefor.

The Board may also employ a competent clerk, fix his or her duties and compensation, not to exced the sum of $1,200.00 per annum, and shall have the right to discharge said clerk at any time they see proper without giving any reason therefor.

Section 5. Be it further enacted, that section 12 1-2 of said act be and is hereby amended so as to read as follows:

Section 12 1-2. The Board of County Commissioners may, for the purpose of maintaining the public roads, bridges and ferries of Madison County, impose a tax on gasoline, Woco-Pep, or any substitute therefor, sold in the county, not to exceed three cents per gallon, or may impose and collect a privilege tax of not more than three cents per gallon on gasoline, Woco-Pep, or any substitute therefor, sold in the county, for the privilege of selling same, and may provide the machinery or rules for collection thereof; such tax or privilege to be levied or imposed, and the money derived therefrom to be used, for the purpose of maintaining the public roads, bridges and ferries of Madison County.

Section 6. Be it further enacted, that section 14 of said act be and is hereby amended so as to read as follows:

Section 14. All persons liable for road duty are liable to work on the public roads of Madison County for a period not exceeding ten days in each road year, not counting the time spent in opening new roads, provided that a money compensation may be paid by any such person in lieu of road work, the amount of such compensation not to exceed Three ($3.00) Dollars per day for each such person. The Board of County Commissioners shall fix the number of days of work and the amount of compensation that may be paid in lieu thereof, within the limits prescribed by this Act.

Section 7. Be it further enacted, that section 15 of said act be and is hereby amended so as to read as follows:

Section 15. Whenever the Board of County Commissioners shall fix the amount of compensation to be paid in lieu of road work, any person liable to road duty in said county may procure exemption from working the roads for that road year by paying the sum so fixed by the Board to the Chairman of the Board of County Commissioners on or before August 1st of the year in which he is liable to road duty, and it shall be the duty of the said Chairman of the Board of Commissioners to receive such payment and to give a receipt for same and the person holding same is required to exhibit such receipt to the person warning him for such service, in order to obtain exemption from road duty. The Board of County Commissioners shall each year on or before October 1st cause to be made out a list of all persons in each precinct of all persons in each precinct who are subject to road duty.

Section 8. Be it further enacted, that section 16 of said act be and is hereby amended so as to read as follows:

Section 16. Any person who is warned to work the roads in Madison County may obtain the benefit of the aforesaid provisions for the payment of the compensation in lieu of road work by paying such amount as may be specified by the Board of County Commissioners to the Chairman of the Board of County Commissioners of Madison County on or before the 1st day of August of each year.

STATE OF ALABAMA,
Madison County.

Before me, Mary F. DeMasters, a Notary Public in and for said county in said State, this day personally appeared Charles D. Lane, who, being first duly sworn, deposes and says: I am owner and publisher of "The Community Builder", a newspaper published at Huntsville in Madison county, State of Alabama. The notice hereto attached, entitled "Notice of proposed Legislation," relative to "A Bill to be entitled An Act to amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama," etc., was published once a week for four consecutive weeks in said newspaper in its issues dated and issued December 30th, 1926, and January 6th, 13th, 20th, and 27th, 1927.

Charles D. Lane.

Subscribed and sworn to before me this 27th day of January, 1927.

Mary F. DeMasters, Notary Public.

Also:

By Mr. Lovelace: (With Notice and Proof)

H. 103. To validate the Proceedings of the Court of County Commissioners of Escambia County, Alabama, made and entered since February 1, 1923, so far as the same relate to all loans made to said County, and to validate and confirm all outstanding County warrants and refunding warrants for money borrowed for County purposes.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

AN ACT

To validate the procedings of the Court of County Commissioners of Escambia County made and entered since February 1, 1923, and so as to include all those loans and contracts made for County purposes including tick eradication and the maintenance of County roads and bridges.

Be it enacted by the Legislature of Alabama:

Section 1. That whereas, it has been customary for the Legislature during the last ten years to validate the proceedings of the Court of County Commissioners of Escambia County, Alabama, so as to give it better credit and enable it to better finance the County affairs including loans and debts created for the eradication of cattle ticks and the maintenance and repair of County roads and bridges and this law being requested by said Court; therefore the minutes and proceedings, acts and contracts of said Escambia County and the orders made by its Court of County Commissioners and entered since February 1, 1923, for various county purposes are hereby validated and confirmed; that the main purpose of this law is to validate all such proceedings, including those for money borrowed from the various banks in said County for various county purposes such as the eradication of cattle ticks and the maintenance and repair of county roads and bridges; the issue of refunding warrants to pay off county debts and warrants; also to validate all county warrants issued and drawn on the general funds and other funds of said County by the Judge of Probate.

Section 2. That all laws and parts of laws in conflict with the provision of this act be and the same are hereby repealed.

NOTICE

State of Alabama, Escambia County, City of Brewton.

Public notice is hereby given of the intention to apply to the next Legislature of Alabama which meets in aJnuary, 1927, or thereafter that the undersigned Court and County will apply to said next Legislature of Alabama to have the substance of the proposed law herein above set out and shown and of said local bill above set out and shown to be enacted into law by said Legislature; that this notice is published without expense to the State in Escambia County, Alabama, and the foregoing Act or Bill states the substance of the proposed law; and said notice is given for to-wit: (5) Five consecutive weeks by publication in The Brewton Standard, a weekly newspaper published in said County, at Brewton, Alabama, prior to the introduction of the bill and proposed law herein above set out and shown.

We also request our Representative in the Legislature to have the foregoing bill enacted into law.

Witness this the 11th day of October, 1926.

Escambia County and Its Court of County Commissioners.

PROOF OF PUBLICATION

I, W. E. Brooks, publisher of The Brewton Standard, a weekly newspaper published at Brewton, Escambia County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper, clipped from one of the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for five consecutive weeks on the following dates, to-wit: Oct. 14th, 1926, Oct. 21st 1926, Oct. 28, 1926, Nov. 4th, 1926, Nov. 11th, 1926.

W. E. Brooks,
Publisher of The Brewton Standard.

Sworn to and subscribed before me this 21 day of Dec. 1926.

(Seal)

Mrs. Rubie McArthur,
Notary Public.

Also:

By Mr. Martin:

H. 262. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Also:

By Mr. Mullen (With notice and proof):

H. 181. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners.

And sends same herewith to the Senate with Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply to the next regular session of the legislature of Alabama, for the passage of a local law for Talladega county, Alabama, the substance of which is as follows:

An Act to provide additional duties and confer additional powers on each member of the court of county commissioners of Talladega county, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said commissioners.

Be it enacted by the legislature of Alabama:

Sec. 1. That each member of the court of county commissioners of Talladega county, except the probate judge, shall have supervision of and shall be responsible for the court of county commissioners for the construction, maintenance and upkeep of the county roads and bridges in his commissioner's district, and shall make personal inspection of all work under construction in his district and shall approve all appointments of the county road superintendent of all road overseers, apportioners and enumera tors necessary for the construction, maintenance and upkeep of the roads and bridges in his district, and shall inspect and approve all reports of overseers in his district, and the probate judge shall assist said commissioners in the performance of their duties to such extent as shall be necessary.

Sec. 2. That each member of the court of county commissioners of Talladega county except the probate judge on presentation to the court of county commissioners of a monthly written report, which report shall show road inspections and due diligence on the part of such commissioner in the performance of his duties, which must be approved by the commissioners court, shall receive a monthly salary of fifty ($50.00) dollars a month, which shall be in lieu of all fees, compensation and expenses allowed by law to such commissioner for service rendered in and about such commissioners court, including the work required as members of the board of review, the payment of such salary to be made out of the county treasury by

warrant drawn by the probate judge on the treasury of the county on the first of each month for the preceding month. That the probate judge shall receive as compensation for his services as a member of such commissioner court the sum of three ($3.00) dollars for each day or part of a day which he shall preside over the sessions of said court and such actual expense as he may incur in the performance of his duties, said compensation to be paid on the first of each month for the preceding month out of the county treasury by warrant of such judge drawn on the treasury of the county.

Sec. 3. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. That this act shall take effect and become operative immediately upon its passage and approval by the governor.

THE STATE OF ALABAMA,
Talladega County.

Personally appeared before me, a Notary Public in and for said county Jno. C. Williams who being duly sworn according to law, deposes and says that he is the Publisher of the Our Mountain Home a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for Four weeks consecutively, to-wit, in the issue hereof dated as follows: Dec. 29, 1926, Jan. 5, 1927, Jan. 12, 1927, Jan. 19, 1927.

Jno. C. Williams.

Subscribed and sworn to before me this 20th day of January, 1927.

Emma Huey,
(Seal) Notary Public

Also:

By Mr. Rogers of Mobile:

H. 261. To further provide for the compensation of official court reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

Also:

By Mr. Powell:

H. 185. To fix the Ex-officio fees of the Sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than seventy five thousand people according to the last Federal Census or any such census which may hereafter be taken, and to regulate the payment of same.

Also:

By Mr. Nipper:

H. 159. To amend subdivision "K" of Section 5 of the Act entitled "An Act to provide for the general revenue of the State of Alabama," approved the 15th day of September, 1919, which subdivision reads as follows: "K" On the gross amount of commissions of sums charged and received during each year by any factor, broker, or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any other act in the course of their business, and for the value of a com-

mission, or by compensation by bale, sack, package, article, or otherwise.

And sends the same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. B.'s 199, 129, 201, 202, 203, 221, 253, 239, 238, 240, 135, 223, 224, 151, 244, 103, 181, 261, To the Committee on Local Legislation.

H. B.'s 206, 262, 185 To the Committee on Revision of Laws.

H. B. 255 To the Committee on Municipalities and Municipal Organiations.

H. 126 To the Committee on Judiciary.

H. B. 159 To the Committee on Finance and Taxation.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the 12th and 13th legislative days, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journals of the Senate for the 12th and 13th legislative days were approved by the Senate.

ADJOURNMENT

At 2:30 P. M., on motion of Mr. Bradford, and pursuant to Joint Resolution heretofore adopted, the Senate adjourned until 2 o'clock Tuesday, February 8, 1927.

FOURTEENTH DAY

Tuesday, February 8, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis, presiding.

PRAYER

By Rev. Jos. W. Phillips of Mobile.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			—33

JOURNAL

On motion of Mr. Fite, the reading of the journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Warren:

S. 152. To amend Section 376 of the Code of Alabama.

Privileges and Elections.

By Mr. Fite:

S. 153. To regulate the practice and proceedure in and before the Tenth Division of the Circuit Courts which now have or may hereafter have ten or more divisions of such Circuit Courts; to confer jurisdiction upon the Tenth Division of such Circuit Courts of and over cases appealed from Recorders Courts or other municipal courts corresponding thereto; to authorize and empower the Judge of the Tenth Division of such Circuit Courts to make and prescribe rules and regulations for the docketing and setting for trial, hearing, handling, orders, or other disposition of such appealed cases in such Circuit Courts; and to authorize and empower the Judge of the Tenth Division of such Circuit

Courts to order and direct the setting and docketing of cases for trial, hearing, handling, orders or other disposition in and before the Tenth Division of such Circuit Courts.

Judiciary.

By Mr. Fite:

S. 154. To amend Section 4500 of the Code of Alabama of 1923.

Judiciary.

By Mr. Fite:

S. 155. To govern and regulate the practice of engineering and surveying and the licensing of applicants to practice said profession; to create, and to provide for the appointment of, a State Board of Registration to exercise the power and authority to control, administer and supervise regulations applicable to the practice of said professions; to authorize the collection, expenditure and other disposition of fees collected under this Act; to declare exemptions from the provisions of this Act; to provide regulations for the construction of public works under the supervision of a registered engineer; and to provide penalties for violations of this Act.

Mines and Manufacturing.

By Mr. Ellis (of Shelby):

S. 156. To Repeal Section 7539 of the Code of Alabama, 1923.

Revision of Laws.

By Mr. Nixon (With N. & P.)

S. 157. To amend Section 6 of an Act entitled An Act, "To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors, approved September 17, 1923.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PUBLICATION

Notice is hereby given that the following bill will be introduced at the regular session of the Legislature of Alabama, which convenes Jan. 11, 1927.

AN ACT

To amend Section 6 of an act entitled an act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said court of County Commissioners of said county; to divide the said county of Calhoun into five distrcts for the election of members of said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said board of Revenue and fixing their compensation, and conferring upon said Board of Revenue all the jurisdictions, powers and authority granted by law to courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17, 1923.

Be it enacted by the Legislature of Alabama:

That section 6 of an act entitled an act: "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said Court of County Commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon said Board of Revenue all the jurisdictions, powers and authority granted by law to courts of County Commissioners, Boards of Revenue, or other governing bodies of like kind and authority in the state of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors," approved September 17th, 1923, be and the same is hereby amended to read as follows:

Section 6. The several members of said Board of Revenue shall receive as compensation for their services as such members, the sum of Seven Hundred and Fifty Dollars per annum, such compensation being payable out of the county treasury in twelve monthly installments upon the warrant of the Chairman of said Board of Revenue, to be issued at the first meeting of said Board folowing the first day of the month.

That each member of said Board of Revenue shall have full supervision of the public roads of his district, the buying of all material and supplies for such district, employing all foremen and laborers needed in such district by and with the consent of the other members of the Board, and for such services each member shall receive as ex-officio fees the sum of Five Hundred Dollars per annum, payable in quarterly payments out of the road funds of the county, at the end of each quarter, for the services rendered in looking after and inspecting the roads of his district.

Each member of the Board shall devote as much of his time in inspecting the roads and bridges of the county as may be essential to the best interests of the county, to the end that all roads and bridges may at all times be kept in a proper state of inspection and repair.

That each member of the Board, before entering on the duties of his office under this act, must give bond with a bonding company, qualified to do business in the State of Alabama, as surety, the Chairman to furnish bond in the sum of Five Thousand Dollars and each associate member, to furnish bond in the sum of Two Thousand Five Hundred Dollars, conditioned as provided in Section 2595, of the Code of Alabama, of 1923, which bond must be approved by the Judge of Probate, and recorded in his office, the premium of each of such bonds to be paid by the principals therein.

STATE OF ALABAMA,
County of Calhoun,

Before me, Clara B. Wright, Notary Public in and for said state and county, personally appeared Chas. S. Leyden, Business Manager, of The Anniston Star, a daily newspaper published at Anniston, in said state and county, who being duly sworn, deposes and says that the attached notice, relative to "An act to amend section 6 of an act entitlel an act to create and establish a Board of Revenue in and for Calhoun County, Alabama" was published in The Anniston Star on January 11th, 18th, 25th and February 1st, 1927.

Chas. S. Leyden.

Sworn to and subscribed before me this the 5th day of February, 1927.

Clara B. Wright,
Notary Public.

By Mr. Nixon (with notice and proof):

S. 158. To repeal an Act entitled An Act, "To establish the office of Road Supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment, approved August 30, 1923.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PUBLICATION

Notice is hereby given that the following bill will be introduced at the regular sesson of the Legislature of Alabama, which convenes Jan. 11, 1927.

AN ACT

To repeal an act entitled an act, "To establish the office of Road supervisor in and for the county of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment," Approved Aug. 30, 1923.

Be it enacted by the legislature of Alabama:

That an act entitled an act, "To establish the office of road supervisor in and for the county of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election and appointment," approved August 30, 1922, be and the same is hereby repealed.

STATE OF ALABAMA,
County of Calhoun.

Before me, Clara B. Wright, Notary Public in and for said state and county, personally appeared Chas. S. Leyden, Business Manager, of the Anniston Star, a daily newspaper published at Anniston, in said state and county, who being duly sworn, deposes and says that the attached notice, relative to "An Act to repeal an act entitled an act to establish the office of Road Supervisor in and for the county of Calhoun" was published in The Anniston Star on January 11th, 18th, 25th and February 1st, 1927.

Chas. S. Leyden,

Sworn to and subscribed before me this the 5th day of February, 1927.

Clara B. Wright,
Notary Public.

REPORTS OF COMMITTEES

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jordan: (With N. & P.)

H. 253. To relieve the Tax Assessor of Etowah County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

By Mr. Hampton: (With N. & P.)

H. 244. To amend an Act entitled An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison county now existing in said county, and abolishing said board of revenue in Madison county; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners approved September 20th, 1923, by amending Sections 3, 7, 11, 12½, 14, 15, and 16, and by adding thereto Section 8½.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lee:

H. 170. To amend Sections 6383 and 6384 of the Code of Alabama of 1923.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Martin:

H. 262. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Mr. Justice, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Justice:

S. 150. To amend Section 1063 of the Code "County Quarantine Officers;" How Appointed, Salary, Etc.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 87. To alter or re-arrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Also:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the State having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

Also:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Also:

S. 88. To alter or re-arrange the boundary line of the Town of Inglenook, Jefferson County; Alabama, so as to exclude from the said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Ingle nook.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bills:

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

Also:

S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such insurance agents; and to provide penalties for violation of laws and regulations governing insurance agents.

Also:

S. 55. To provide for the appointment of an additional Assistant Solicitor to be known as the second assistant solicitor for each Judicial Circuit in the State composed of one County with three circuit judges; to fix the term of said office; to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Warren, the Senate concurred in the following amendment by the House to Senate Bill No. 49, the Title of which is set out in the foregoing message from the House, to-wit:

Amend Section 1 of Senate Bill No. 49 by striking out the words and figures "Twenty-seven Hundred ($2700.00)" wherever the same appears and substitute therefor the words and figures to-wit: "Twenty-four Hundred ($2400.00)."

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes	
Bradford	Ellis of Shelby	Loflin	Teasley	
Brown	Fite	Mitchell	Thompson	
Caffey	Hines	Moore	Walton	
Carlton	Holmes	Nixon	Warren	
Cowan	Jack	Nolen	Williams	
Craft	Jackson	Oliver	Young	
Edgar	Jones	Stanley		—31

Nays:—None.

On motion of Mr. Teasley, the Senate concurred in the following amendment by the House to Senate Bill No. 29, the Title of which is set out in the foregoing message from the House, to-wit:

Amend Section 4 by striking the word "Montgomery" where it appears immediately after the words, "circuit court of the county of", and insert in lieu thereof the words, 'any county where the act for which said license was revoked or suspended, was committed, or in case of refusal to issue a license to an applicant then in the county of the residence of such applicant."

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Nixon	Walton	
Carlton	Holmes	Nolen	Warren	
Craft	Jack	Oliver	Williams	
Edgar	Jackson	Stanley	Young	
Ellis of Dallas	Jones			—30

Nays:—None.

On motion of Mr. Fite the Senate concurred in the following amendment by the House to Senate Bill No. 55, the Title of which is set out in the foregoing message from the House, to-wit:

Amend caption by striking therefrom the following words, "composed of one county with three circuit judges," and to insert in lieu thereof the following, "now or hereafter composed of one county having more than two circuit judges and less than nine circuit judges" and amend Section one (1) thereof by striking therefrom the words "any county composing a judicial circuit

with three circuit judges" and inserting in lieu thereof the following: "Any judicial circuit now or hereafter composed of one county having more than two judges and less than nine judges."

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young
Ellis of Dallas	Jones		—30

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested:

H. 23. Amending Section 3858 of the Code of Alabama as approved August 17th, 1923.

Also:

H. 71. To repeal an Act entitled An Act to regulate the issue of garnishments by justices of the peace, and notaries public, with same jurisdiction and powers of a justice of the peace and proceedings therein when a demand owing for, or on account of personal services rendered, or to be rendered, by the defendant is sought to be subjected by process of garnishment in the counties of Colbert and Franklin, approved February 21, 1893, in so far as the same relates to or affects Colbert County.

Also:

H. 172. To authorize and empower any State institution including schools, colleges, and other educational institutions, to dispose of and convey any contingent interest which such institution or institutions may have in any property, whether the same be derived through a will or otherwise, and to authorize such institution to execute the necessary conveyance, or conveyances for such purpose.

Also:

H. 186. To fix the salary of the deputy solicitor of Washington County, Alabama.

Also:

H. 53. To provide for the appointment of a stenographer by each Soliictor of each judicial circuit in the State, now or hereafter created composed of one County having more than two Circuit Judges and less than nine Circuit Judges, to fix the term of

office of said stenographer, to prescribed the duties of said stenographer, and to fix the compensation of said stenographer.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

LEAVES OF ABSENCE

On motion of Mr. Ellis of Dallas, leave of absence was granted Mr. James for today.

BILL RE-COMMITTED

On motion of Mr. Ellis of Dallas, the Bill:

H. 95. To fix the per diem or compensation of members of all recess committees appointed by Joint Resolution of the Two Houses or by either, the House or Senate, of the Legislature.

Was taken from today's calendar and re-referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 110. To amend Sections 1754, 1757, 1760, 1894, 2341, and 2364 of the Code of Alabama.

Was taken up.

Mr. Brown offered the following amendment to said bill to-wit:

Amend the bill by adding to the same the following:

Provided, that the provisions of this Act shall not apply to cities and towns having a population of two thousand or less, according to the last or any succeeding Federal Census.

Mr. Oliver moved that the bill and amendment be re-committed to the Standing Committee on Municipalities and Municipal Organiations.

Mr. Fite moved that the motion of Mr. Oliver be laid on the table, which motion preaviled.

Yeas, 15; Nays, 14.

Yeas:
Messrs:

Carlton	Jack	Moore	Walton	
Edgar	Jones	Stokes	Williams	
Ellis of Dallas	Justice	Thompson	Young	
Fite	Loflin	Walker		—15

Nays:
Messrs:

Bonner	Cowan	Holmes	Nolen	
Bradford	Ellis of Shelby	Jackson	Oliver	
Brown	Hall	Nixon	Stanley	
Caffey	Hines			—14

Mr. Stokes then moved that the amendment offered by Mr. Brown be laid upon the table, which motion prevailed and said amendment was tabled.

Yeas, 18; Nays, 14.

Yeas:
Messrs:

Bradford	Hines	Mitchell	Teasley	
Carlton	Holmes	Moore	Thompson	
Edgar	Jackson	Stanley	Walker	
Ellis of Dallas	Justice	Stokes	Williams	
Fite	Loflin			—18

Nays:
Messrs:

Bonner	Ellis of Shelby	Nixon	Walton	
Brown	Hall	Nolen	Warren	
Caffey	Jack	Oliver	Young	
Cowan	Jones			—14

Mr. Young offered the following amendment to said bill to-wit:

Amend the bill by adding the following:

Provided further the provisions of this act shall not go into effect with respect to any city or town until after the next election due to be held therein has been held.

Mr. Fite moved that said amendment be laid upon the table, which motion prevailed and the amendment was tabled.

Yeas, 19; Nays, 13.

Yeas:
Messrs:

Carlton	Holmes	Mitchell	Teasley	
Craft	Jackson	Moore	Walker	
Edgar	Jones	Oliver	Walton	
Ellis of Dallas	Justice	Stanley	Williams	
Fite	Loflin	Stokes		—19

Nays:
Messrs:

Bonner	Cowan	Jack	Thompson
Bradford	Ellis of Shelby	Nixon	Warren
Brown	Hall	Nolen	Young
Caffey			

—13

Said bill was then read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 24; Nays, 7.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Justice	Teasley
Caffey	Fite	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Moore	Warren
Craft	Jackson	Oliver	Williams
Edgar	Jones	Stokes	Young

—24

Nays:
Messrs:

Bonner	Ellis of Shelby	Jack	Nolen
Brown	Hall	Nixon	

—7

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Fite:

H. J. R. No. 41. Resolved by the House, the Senate concurring, that when the two Houses adjourn today, they adjourn to reconvene on Thursday, the 10th day of February, 1927, at eleven o'clock, a. m.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fite, the Senate concurred in H. J. R. 41, set out in the foregoing message from the House.

HOUSE MESSAGE

Mr. President:

The House has passed the following Senate Bills:

S. 74. To create a Commission to be known as The Alabama Muscle Shoals Commission, to provide its appointment, to define

its duties and powers and to make an appropriation for its expenses.

Also:

S. 72: For the protection of persons furnishing materials, foodstuffs, supplies, and labor for the construction of public works, and for other purposes.

Also:

S. 99. To amend Section 1053 of the Code of Alabama, 1923.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goode:

H. 273. To provide for the codification, revision, digesting and promulgation of the public statutes of Alabama which pertain to agriculture and industries, and related subjects, which are administered by, or relate to the duties of the Commissioner of Agriculture and Industries, the Department of Agriculture and Industries or the State Board of Agriculture.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate Standing Committee as follows:

H. 273. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendments to the bills:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

Also:

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

And the Speaker of the House named as Conferees on part of the House Messrs. Tunstall, Merrill and Lovelace.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions:

By Mr. Jones:

H. J. R. 35, Whereas, there exists from time to time a surplus of cotton, and

Whereas, such surplus is invariably followed by low prices for the staple and serious financial loss to the grower, and

Whereas, new uses for cotton and cotton products will facilitate the disposition of such surplus, and

Whereas, there was imported into this country last year, free from duty, from India, and elsewhere, 124,940,000 pounds of jute; 4,162,000 pounds of jute butts; 16,130,212 pounds of jute sack cloth and bagging; 625,815,937 pounds of jute burlap; and 2,012,413 pounds of woven jute fabrics on which duty was paid; 48,070,063 pounds of jute bags on which duty was paid and 776,838 pounds of jute yarns, and

Whereas, The aggregate total value of said imported jute last year was $108,491,009 representing a total weight of 821,907,463 pounds which is equal to the weight of 1,643,814 bales of cotton, and

Whereas, The federal government alone used 1,500,000 pounds of jute twine:

Therefore be it Resolved, by the House of Representatives, the Senate concurring, that, the senators and members of Congress from Alabama be, and the same are hereby urged to use their best efforts to secure the substitution of cotton for jute, either by tariff levy, or otherwise as may seem to them wise and expedient.

Also:

By Mr. Pegues:

H. J. R. 36. Whereas the enormous crop of cotton has made the supply far in excess of the demand; and

Whereas the only hope for better prices is an increased demand; and

Whereas some manufacturers of fertilizer have adopted the policy of using sacks made of cotton; and

Whereas it is believed other manufacturers could be induced to adopt this policy;

Therefore, be it resolved by the House, the Senate concurring, That:

1. We commend the steps taken by some manufacturers to increase the demand for cotton.

2. We call upon the Commissioner of Agriculture to use all the influence of his department to induce other manufacturers

to use sacks made of cotton, and in so doing to send a copy of this resolution to every such manufacturer approached.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Joint Resolutions set out in the foregoing House Message were severally read one time and referred to appropriate Standing Committee as follows:

H. J. R. 35 and 36 to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 53. To extend the term of all elective officers of all municipalities in the State of Alabama, governed by the aledrmanic form of government.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 7.

Yeas:				
Messrs:				
Bradford	Ellis of Dallas	Loflin	Teasley	
Carlton	Fite	Mitchell	Walker	
Cowan	Hines	Moore	Warren	
Craft	Holmes	Stanley	Williams	
Edgar	Jackson	Stokes	Young	
				—20
Nays:				
Messrs:				
Bonner	Ellis of Shelby	Jack	Nolen	
Brown	Hall	Nixon		—7

The Bill:

S. 117. To amend Section 4773 of the Code of Alabama of 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:				
Messrs:				
Bonner	Ellis of Shelby	Loflin	Teasley	
Bradford	Hall	Moore	Thompson	
Brown	Hines	Nixon	Walker	
Caffey	Holmes	Nolen	Warren	
Carlton	Jack	Stanley	Williams	
Cowan	Jackson	Stokes	Young	
Craft	Jones			—26

Nays:—None.

The Bill:

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacturer of bags, wood pulp products, wooden cabinets and farm implements or any other manufactured products.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 27; Nays, 4.

Yeas:
Messrs:

Bradford	Fite	Justice	Stokes	
Brown	Hall	Loflin	Thompson	
Caffey	Hines	Mitchell	Walker	
Carlton	Holmes	Moore	Walton	
Cowan	Jack	Nixon	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	Jones	Stanley		—27

Nays:
Messrs:

Bonner	Ellis of Shelby	Nolen	Young	
				—4

The Bill:

S. 119. For the relief of John B. Laseter, of Barbour County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes	
Bradford	Fite	Mitchell	Teasley	
Brown	Hines	Moore	Thompson	
Caffey	Holmes	Nixon	Walton	
Carlton	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	Jones	Stanley	Young	
Ellis of Dallas	Justice			—30

Nays:—None.

The Bill:

S. 125. An Act, to authorize and empower any political party hereafter holding a primary election under the primary election laws of Alabama for the nomination of its candidate for Circuit

Judge to sit as of course in that branch or division of the Circuit Court which is now held or may hereafter be held at a place other than the county site for the trial of cases arising within a designated portion of such county in circuit composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such Court.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Fite	Mitchell	Teasley
Brown	Hines	Moore	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas	Justice		—30

Nays:—None.

BILL RE-COMMITTED

On motion of Mr. Craft, the bill:

H. 56. To repeal Sections six hundred eighty-five (685), six hundred eighty-six (686) and six hundred eighty-seven (687) of Article four (4) of the Code of Alabama 1923.

Was taken from todays' calendar and re-referred to the Standing Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Hampton (with notice and proof):

H. 243. To create the 22nd Judicial Circuit of Alabama; to provide for the appointment and election of a Judge and Solicitor therefor; and to fix their salaries.

And ordered same sent forthwith to the Senate without Engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the session of the Legislature of Alabama to convene on Tuesday the 11th day of January, 1927, application will be

made for the passage of a law substantially as set out in the following bill, viz:

A BILL

To be entitled

AN ACT

To create the Twenty Second Judicial Circuit of Alabama, to be composed of the county of Madison; to provide for the appointment and election of a judge and solicitor therefor; and to fix their salaries,

Section 1. Be it Enacted by the Legislature of Alabama, that there is hereby created and established a separate judicial circuit, to be known as the Twenty Second Judicial Circuit, composed of the county of Madison, which is hereby detached from the Eighth Judicial Circuit.

2. That immediately after this act becomes effective the Governor shall appoint a judge of said circuit, who shall have the qualifications prescribed by law for judges of the circuit court and shall reside in said circuit, and who shall hold office until the next general election and until his successor is elected and qualified.

3. That immediately after this act becomes effective the Governor shall appoint a solicitor of said circuit, who shall have the qualifications prescribed by law for solicitors of the circuit court, and who shall hold office until the next general election for solicitors and until his successor is elected and qualified.

4. Said judge shall receive the same salary as is received by other circuit judges in the state in circuits consisting of but one county and having but one judge; and said solicitor shall receive the same salary as is received by other solicitors in the state in like circuits; such salaries to be payable as in such other circuits.

STATE OF ALABAMA,
Madison County.

Before me, Mary F. DeMasters, a Notary Public in and for said county in said State, this day personally appeared Charles D. Lane, who, being first duly sworn, deposes and says: I am owner and publisher of "The Community Builder", a newspaper published in the City of Huntsville, Madison County, State of Alabama; the foregoing notice relative to "A Bill to be entitled An Act to create the Twenty Second Judicial Circuit of Alabama, to be composed of the county of Madison; to provide for the election and appointment of a judge and solicitor therefor; and to fix their salaries," was published once a week for four consecutive weeks in said newspaper in its issues dated and issued December 30th, 1926, and January 6, 13th, and 20th, 1927

Charles D. Lane,

Subscribed and sworn to before me this January 25th. 1927.
Mary F. DeMasters.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 243. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Darden:

H. 75. To provide for the Restoration of the names of Confederate Veterans, or their widows, where same have been dropped on account of absence from the State for more than a year, on the pension rolls of the State, where such veteran or widow is a bona fide resident of this State and is not now drawing a pension from any other State.

Also:

By Mr. Simpson:

H. 47. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House message were severally read once and referred to appropriate Standing Committees as follows:

H. 75 To the Committee on Finance and Taxation.

H. 47 To the Committee on Education.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Carlton, all bills on the adverse calendar were indefinitely postponed towit:

S. 23. To fix and limit the time a judgment rendered in a court of this State, which is not a court of record, shall be lien on property of the defendant where a certificate of the judgment is filed for record in the office of the judge of probate in any county in this State, in pursuance of and in conformity with authority conferred by law.

Also:

S. 12. To amend Sections 855 and 872 of the Code of Alabama, and to repeal Section 871 of said Code, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Also:

S. 5. To amend subdivision 7 of Section 7407 of the Code of Alabama of 1923 relating to divorce and alimony:

Also:

S. 59. To protcet a bona fide purchaser for value of land, or interest in land against the lien of a judgment or decree rendered in any court, a certificate of which has been filed in the probate office of any county in this State, in pursuance of law, when the

given name and/or initials and/or surname of the judgment debtor as shown by the certificate filed, is not identical with the given name, and/or initials, or surname of the judgment debtor as shown by recorded conveyance, or will, where the judgment debtor acquired the land or interest in land by conveyance, or will, or where the name of the judgment debtor as shown by the certificate is not identical with the name by which the judgment debtor is commonly known, where the judgment debtor acquired the land, or interest in land by inheritance.

Also:

H. 94. To amend Section 317 of the Code of Alabama.

Also:

S. 118. To repeal Section 8598 of the 1923 Code of Alabama.

Also:

S. 92. To amend Section 8711 of the Code of Alabama of 1923.

Also:

S. 98. To amend Section 9023 of the Code of Alabama 1923.

Also:

S. 77. To amend Section 6 of Article 34 of the Agricultural Code of Alabama.

Also:

S. 97. To amend Section 9028 of the Code of Alabama 1923.

Also:

S. 64. To amend Section 3046 of the Code of Alabama 1923.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Fourteenth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Fourteenth legislative day was approved by the Senate.

ADJOURNMENT

At 4:10 P. M. on motion of Mr. Hines and pursuant to Joint Resolution heretofore adopted, the Senate adjourned until Thursday morning, February 10, 1927 at 11 A. M.

FIFTEENTH DAY

Thursday, Feruary 10, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Dr. John S. Chadwick of Birmingham.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—35

JOURNAL

On motion of Mr. Brown, the reading of the journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Walker:

S. 159. To regulate the Practice of General Contracting; and to establish a Licensing Board; and to define its duties and powers; and to dispose of the revenue derived therefrom.

Finance and Taxation.

By Mr. Mitchell:

S. 160. To make appropriations to the State Board of Education for the further support, maintenance and development of public education in Alabama, through agencies, services and institutions under its general or direct control or subject to its rules and regulations; to make appropriations to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama, for the further support, maintenance and development; and to prescribe conditions of apportionment and expenditure of these appropriations.

Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Jack, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time at length and placed on the calendar, to-wit:

By Mr. Powell:

H. 32. A Bill to be entitled an Act to submit to the qualified voters of the State of Alabama, at the general election to be held on the first Tuesday after the first Monday of November, 1928, for their consideration, an amendment to the Constitution of the State, fixing the salaries and compensations and allowances to be paid to the Judge of Probate, the Tax Assessor and the Tax Collector, the Clerk of the Circuit Court, the County Solicitor and the County Treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the costs, charges, and fees and salaries of such officers, including the method and basis of their compensation.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama, for their consideration, as hereafter set forth, viz: Commencing at the beginning of their next term of office subsequent to the General Election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly instalments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office and $1,000.00 for extra help and other expenses. The

County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said county shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund;" that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said County free schoo' text books beginning with Board of Education of Walker County in furnishing to the school children of said County free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidenta's when there is an amount over and above that required for the purchase of text books, until chagned or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all the county officers of said county.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State, at least eight consecutive weeks, next preceding the general election in November, 1928, of the election on the amendment proposed by this act, to be submitted to the qualified voters of the State, for their consideration, together with the proposed amendment.

Section 3. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State upon the proposed amendment. Upon the ballots used at such election, shall be printed the following: "Amendment to the Constitution, fixing the compensation and allowances of the following named county officers of Walker County, commencing at the beginning of their next term of office subsequent to the

General Election in November, 1928, as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, incuding extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office, and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office, and $1,000.00 for extra help and other expenses. The County Solictor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund;" that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such fund into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in prolonging the terms of the public schools of said county, so that all of the school children of said county shall receive a benefit therefrom so far as is practicable, until changed or modified by local or general laws, The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county." Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word "No," The choice of the elector

shall be indicated by the cross-mark by him opposite the word expressing his desire.

Section 4. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon such proposed amendment, the votes cast thereat shall be canvassed, tabulated, and the returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nipper: (With Amendment)

H. 159. To amend subdivision "K" of Section 5 of the Act entitled "An Act to provide for the general revenue of the State of Alabama," approved the 15th day of September, 1919, which subdivision reads as folows: "K" On the gross amount of commissions of sums charged and received during each year by any factor, broker, or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any other act in the course of their business, and for the value of a commission, or by compensation by bale, sack, package, article or otherwise.

Mr. Hines, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Monk: (With N. & P.)

H. 238. To repeal an Act entitled "An Act to provide and require the payment in cash only of fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County."

By Mr. Hawkins: (With N. & P.)

H. 212. To alter, to rearrange the boundaries of the Town of Homewood, Jefferson County, Alabama.

By Mr. Mullen: (With N. & P.)

H. 181. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners.

By Mr. Rogers:

H. 261. To further provide for the compensation of Official Court Reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

By Mr. Howard: (With N. & P.)

H. 199. For the relief of Claudia Smith, Custodian of the Funds of the Inferior Court of Autauga County, Alabama, and to authorize the payment out of the funds the sum of $330.00, for services rendered as Custodian of said funds for a period of time beginning October 1st, 1923 and ending January 1st, 1927 at the rate of $10.00 per month.

By Mr. Rankin: (With N. & P.)

H. 224. To amend Sections 12, 13 and 21, and repeal Section 23, and add Section 13½ to an Act entitled an Act: "To establish an Inferior Court to be known as the Inferior Court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1500 or more according to the last federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

By Mr. Rankin: (With N. & P.)

H. 223. To amend Sections 10 and 20, and add Section 24½ to an Act entitled An Act "To provide for the better building, maintenance and protection of the public roads and bridges and ferries of Limestone County; to provide funds, regulations and penalties to carry the provisions and purposes of this Act into effect; to provide for the appointment of a county engineer and to fix his duties", approved September 19, 1923.

By Mr. Nixon: (With N. & P.)

S. 158. To repeal an Act entitled an Act, "To establish the office of Road supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment. Approved August 30, 1923.

By Mr. Nixon:

S. 157. To amend Section 6 of an Act entitled an Act, "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said court of County Commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon said Board of Revenue all the jurisdictions, powers and authority granted by law to courts of County Commissioners, Boards of Revenues, or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said Board of Revenue, and providing for the election of their successors, approved September 17, 1923.

By Mr. Monk: (With N. & P.)

H. 240. To repeal an Act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act."

Mr. Hall, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goode:

H. 273. To provide for codification, revision, digesting and promulgation of the public statutes of Alabama which pertain to agriculture and industries, and related subjects, which are administered by, or relate to the duties of the Commissioner of Agriculture and Industries, the Department of Agriculture and Industries or the State Board of Agriculture.

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Byars:

H. 126. To authorize the Board of Education of any County, in order to acquire, construct or repair any public school building in any school district of such county or for paying for a public school building or buildings already built in any such district, or to raise money for any such purpose, to issue interest bearing school warrants.

By Mr. Williams:

S. 147. To amend Section 9027 of the Code of Alabama (1923).

(Adverse Report.)

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 73. To amend Section 6856 of the Code of Alabama of 1923.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such insurance agents; and to provide penalties for violation of laws and regulations governing insurance agents.

S. 55. To provide for the appointment of an additional assistant solicitor to be known as the second assistant solicitor for each judicial circuit in the State, now or hereafter composed of one county having more than two Circuit Judges and less than nine Circuit Judges, to fix the term of said office, to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

S. 72. For the protection of persons furnishing materials, food-stuffs, supplies, and labor for the construction of public works, and for other purposes.

S. 74. To create a commission to be known as The Alabama Muscle Shoals Commission, to provide its appointment, to define

its duties and powers and to make an appropriation for its expenses.

S. 99. To amend Section 1053 of the Code of Alabama, 1923.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from Committee on Enrolled Bills.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following Senate resolution with the original resolution, respectively, and find same correctly enrolled, to-wit:

S. R. 17: Relative to commending the services of the retiring Lieutenant-Governor, Hon. Charles S. McDowell, Jr.

H. M. Caffey,
Chairman.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing resolution, the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

Also:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 253. To relieve the tax assessor of Etowah County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Ellis of Shelby	Justice	Stokes
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James		—30

Nays:—None.

The Bill:

H. 244. To amend an Act entitled An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison county now existing in said county, and abolishing said board of revenue in Madison county; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners approved September 20th, 1923, by amending Sections 3, 7, 11, 12½, 14, 15, and 16, and by adding thereto Section 8½.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stokes
Bradford	Hall	Mitchell	Teasley
Brown	Hines	Moore	Thompson
Caffey	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Edgar	James	Smith	Williams
Ellis of Dallas	Jones	Stanley	Young
Ellis of Shelby	Justice		

—34

Nays:—None.

The Bill:

H. 170. To amend Sections 6383 and 6384 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Hines	Moore	Teasley
Caffey	Holmes	Nixon	Thompson
Carlton	Jack	Nolen	Walker
Craft	Jackson	Oliver	Walton
Edgar	James	Smith	Warren
Ellis of Dallas	Justice	Stanley	Williams
Hall	Loflin		

—23

Nays:—None.

The Bill:

H. 262. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

The Bill:
By Mr. Justice:

S. 150. To amend Section 1063 of the Code "County Quarantine Officers; How Appointed, Salary, Etc.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Hines	Mitchell	Thompson
Cowan	Holmes	Moore	Walker
Craft	Jack	Nixon	Walton
Edgar	Jackson	Oliver	Warren
Ellis of Dallas	James	Smith	Williams
Ellis of Shelby	Jones	Stanley	

—31

Nays:—None.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

I am directed by the Governor to hand you herewith his message concerning the appointment of Walter E. Bare as Brigadier General of the Line Reserve.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

February 10, 1927.

To The Senate of Alabama:
Gentlemen:

Walter E. Bare has been nominated by the States of Alabama and Florida as Brigadier General of the Line to command the 62nd Infantry Brigade of the 31st Division. He has qualified under the provisions of the Military Laws of the State of Alabama and the National Defense Act of 1916-1924 and has been appointed Brigadier General of the Line Reserve, upon the recommendation of the President of the United States and confirmed by the Senate of the United States.

Under Section 62 of the Military Acts of the State of Alabama, approved September 23, 1915, I have appointed him Brigadier General of the Line, Alabama National Guard, and herewith submit his appointment to you for confirmation or such action as to you may seem right and proper.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Walker, the Senate confirmed the appointment of His Excellency, The Governor, of Hon. Walter E. Bare, Brigadier General of the Line Reserve, Alabama National Guard.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Smith	Young
Ellis of Dallas			—33

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the City of Birmingham, and to establish for the consummation of that purpose a Court House Commission; and to authorize said Commission to build a court house and jail for said county, to sell and convey certain court house properties now owned by the County, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid, and to prescribe the powers and duties of the said Commission and the powers and duties of the Board of Revenue and Treasurer of said County, incident to the construction of said court house and jail.

Also:

S. 80. To amend Section 2051 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

RESOLUTION

By Mr. Deloney:

H. J. R. 43. Whereas, the construction of Wilson Dam on the Tennessee River and the erection of two Nitrate Plants in the Muscle Shoals District, State of Alabama, was designed to fur-

nish cheap nitrates for the farmers of the United States in time of peace; and

Whereas, the question of the proper method of operating the Nitrate Plants and using the power for purposes originally designed, has been before the Congress of the United States for more than seven years; and

Whereas, the determination of that question has been postponed from time to time for seemingly selfish interests; and

Whereas, each postponement carries with it a continuation of high prices of fertilizer resulting in a loss of approximately twenty million dollars ($20,000,000.00) annually to the farmers of the country:

Therefore be it resolved by the Senate and House of Representatives of the State of Alabama that His Excellency, Calvin Coolidge, President of the United States be and he is hereby requested to call an extra session of the Congress of the United States to assemble at the earliest date practicable after the adjournment of the present session so that the policy of the Government in the operation of the Dam and Nitrate Plants may be finally determined.

Be it further resolved that the Governor of the State of Alabama, immediately upon the passage of this resolution, transmit the same to President Coolidge.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 43, set out in the foregoing message from the House was read and referred to the Standing Committee on Rules.

EXECUTIVE MESSAGE

To The Legislature of Alabama,
Gentlemen of the Senate:

I herewith return to the Senate, as the body in which it originated Senate Bill No. Four (4) without my approval. I suggest the following executive amendment, which if adopted and incorporated in the Act will have my approval.

1st. Amend the Act by striking therefrom Section Two (2) as it now appears in said Act and substitute therefor the following:

Section Two (2): Candidates for the office of such Superintendent of Education may be nominated as candidates for other county offices of Cullman and Winston under the laws of the State of Alabama.

This amendment is suggested in view of Section 190 of the Constitution, which provides among other things that the Legislature shall not make primary elections compulsory.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. James, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to the bill:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Said amendment being set out in the foregoing message from His Excellency, The Governor.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Smith
Bradford	Ellis of Shelby	Jones	Stanley
Brown	Fite	Justice	Thompson
Caffey	Hall	Loflin	Walker
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young

—32

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended, by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walker
Cowan	Jack	Nixon	Walton
Craft	Jackson	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Dallas	Jones	Smith	Young
Ellis of Shelby			

—33

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from his Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 96. To make an appropriation of Two Hundred and Fifty Thousand ($250,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present Session of the Legislature.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To the Legislature of Alabama,
Gentlemen:

I return herewith House Bill No. 96 without my approval and I suggest the following as executive amendments:

First: Amend the title of the Act by adding thereto after the word "Legislature" the following, "and the recess committees raised by the Legislature."

Second. Amend Section 1 by adding at the end of the section after the word "Legislature" the words "and the recess committee of the Legislature."

These amendments are suggested because of the Constitutional provision, that appropriation cannnot be made except by bill and most of the recess Committees are raised by Joint Resolution. I am of the opinion that by having the money appropriated in the manner provided in this bill for the expenses of the Legislative Recess Committees the fact that they are raised by Joint Resolution will not prevent the payment of their expenses and per diem and will avoid any Constitutional questions that might arise.

Respectfully,
Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill H. 96, by a majority of the whole number elected to the House, said vote being Yeas, 96; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the House, said vote being Yeas, 83; Nays, 0.

And said bill together with the Governor's Message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Holmes, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to H. B. 96, the title of which, together with the proposed amendment being set out in the foregoing message from the House.

Yeas, 31; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Loflin	Teasley	
Bradford	Hall	Mitchell	Thompson	
Brown	Hines	Moore	Walker	
Caffey	Holmes	Nixon	Walton	
Carlton	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—31

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended, by the amendment of His Excellency, The Governor, was again read a third time at length and passed.

Yeas, 31; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Teasley	
Bradford	Ellis of Shelby	Mitchell	Thompson	
Brown	Fite	Moore	Walker	
Caffey	Hall	Nixon	Walton	
Carlton	Hines	Nolen	Warren	
Cowan	Holmes	Oliver	Williams	
Craft	Jack	Smith	Young	
Edgar	Jackson	Stanley		—31

Nays:—None.

Which was a majority of the whole number elected to the Senate.

LETTER FROM BOYS AND GIRLS OF ALABAMA SCHOOL FOR THE DEAF

Mr. Oliver announced the receipt of the following letter from the boys and girls of the Alabama School for the Deaf at Talladega, Alabama, which was read and, on motion of Mr. Craft, said letter was ordered spread upon the Journal, same being in words and figures as follows:

'Talladega, Ala., Feb. 8, 1927.

Judge S. C. Oliver,
Montgomery, Alabama.
Dear Judge Oliver:

You don't know how very happy we were when we heard that the bill for $150,000 for our school had passed.

We want to tell you how much we appreciate your interest and thank you for what you have done for us. We older boys and girls will soon be leaving, so we will not be here to enjoy the new building, but we love our school and are glad that the younger children and those who will come later will have a nice, new place to live and will have advantages we have not had.

The deaf people of the State will never forget you, but will always love and honor you for your interest in the welfare of deaf children.

Respectfully yours
Ethel Jones,
(For all the girls and boys of the school.)

RECESS

At 12:35 P. M., on motion of Mr. Fite, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION

Fifteenth Day, February 10, 1927.

The Senate re-assembled at 3 P. M., Lieutenant Governor Dayis presiding.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—35

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Williams: (With Amendment.)

S. 151. To amend Section 10291 of the Code of Alabama of 1923.

Mr. Walker, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite: (With Amendment.)

S. 57. To extend the corporate existence of all corporations incorporated under the laws of the State of Alabama, and now carrying on business as a corporation where the De Jure corporate existence has heretofore terminated, and to validate all acts within the charter powers of such respective corporations, and to extend the corporate existence of all such corporations where the De Jure corporate existence of the corporation will terminate within ten years from the date of the approval of this act.

Mr. James, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Frey:

H. 44. To require Judges of Probate in the several counties of the State of Alabama to furnish the United States Veterans Bureau certified copies of all settlements by guardians of beneficiaries of said Bureau.

Mr. Thompson, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Warren: (With Substitute.)

S. 152. To amend Section 376 of the Code of Alabama.

Mr. Brown, Chairman of the Standing Committee on Rules reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tunstall: (With Substitute.)

H. 95. To fix the per diem or compensation of members of all recess committees appointed by Joint Resolution of the Two Houses, or by either the House, or Senate of the Legislature.

Mr. Young, Chairman of the Standing Committee on Mines and Manufacturing reported that said Committee, in Session, had acted on the following bill and ordered same returned to the

Senate with an adverse report, and placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 155. To govern and regulate the practice of engineering and surveying and the licensing of applicants to practice said profession; to create and to provide for the appointment of a State Board of Registration to exercise the power and authority to control, administer and supervise regulations applicable to the practice of said professions; to authorize the collection, expenditure and other disposition of fees collected under this Act; to declare exemptions from the provisions of this Act; to provide regulations for the construction of public works under the supervision of a registered engineer; and to provide penalties for violations of this Act.

REPORT FROM CONFERENCE COMMITTEE

To the Presiding Officer of the Senate:

Montgomery, Alabama.
February 10, 1927.

We, your Committee on Conference, having under consideration Senate Bill 16 and Senate Bill 100, beg leave to report that we have been unable to reconcile the differences between the two houses on said bills. We therefore recommend the appointment of a new Conference Committee for the further consideration of these bills, and the discharge of the present Committee.

Respectfully submitted,
Chas. B. Teasley,
J. M. Bonner,
W. B. Nolen,
Committee on part of the Senate.

A. M. Tunstall,
Hugh D. Merrill,
W. Y. Lovelace,
Committee on part of the House.

CONFERENCE REPORT

On motion of Mr. Teasley, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two houses on the House amendment to the bills:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

Also:

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the

State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

And discharged said Committee from further consideration of said bills.

Thereupon the President of the Senate appointed as Conferrees on the part of the Senate for further consideration of said bills Messrs. Teasley, Young, and Willams.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Hall	Mitchell	Teasley
Brown	Hines	Moore	Thompson
Caffey	Jack	Nixon	Walker
Carlton	Jackson	Nolen	Walton
Cowan	James	Oliver	Warren
Craft	Jones	Smith	Williams
Ellis of Dallas	Justice	Stanley	Young

—32

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Cockrell:

H. 150. To amend Subdivision 1 of Section 6755 of the Code of 1923.

Also:

By Mr. Rogers (Mobile):

H. 85. To amend an Act "To authorize the Court of County Commissioners, the Board of Revenue and Road Commissioners or like body, in each county in the State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, the office of the jailer, and the judge of probate of their respective counties," approved September 25, 1919.

Also:

By Mr. St. John:

H. 68. For the relief of E. Finke and to appropriate for said E. Finke the sum of One Hundred Dollars for money paid by him for the use of the State for a license for the year 1925-26 for the operation of a poolroom in Cullman, Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. 150 To the Committee on Counties and County Boundaries.
H. 85 To the Committee on Revision of Laws.
H. 68 To the Committee on Finance and Taxation.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

S. 80. To amend Section 2051 of the Code of Alabama of 1923.

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence, of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from Committee on Enrolled Bills.

BILLS RETURNED AND RE-REFERRED

Mr. Williams, Chairman of the Standing Committee on Judiciary, reorted that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation to-wit:

H. 243. To create the 22nd Judicial Circuit of Alabama; to provide for the appointment and election of a judge and solicitor therefor; and to fix their salaries.

And on motion of Mr. Williams, said bill was re-referred to the Standing Committee on Finance and Taxation.

Mr. Walker, Chairman of the Standing Committee on Corporations, returned to the Senate, the Bill:

S. 102. To provide for and regulate the taxation of corporations whose chief business is making loans secured by mortgages on real estate or purchasing mortgages and mortgage notes on real estate, to provide that such regulations shall apply to the year 1926 and subsequent years, and to repeal all laws in conflict therewith.

And on motion of Mr. Walker, said bill was re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

By a vote of a majority of the whole number elected to the House, said vote being, Yeas, 95; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time, at length, and passed by a vote of a majority of the whole number elected to the House, said Vote being Yeas, 93; Nays, 0.

And said bill, together with the Governor's Message, is returned herewith to the Senate.

J. H. Stewart,
Clerk.

Mr. President:

The House has concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House amendments to the bills:

S. 16. "To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations"

Also:

S. 100. To further regulate the custody, care, maintenance and use of the County Convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

Said conference report being in the following words and figures, to-wit:

Montgomery, Alabama.
February 10, 1927.

To the Speaker of the House of Representatives:

We, your Committee on Conference, having under consideration Senate Bill 16 and Senate Bill 100, beg leave to report

that we have been unable to reconcile the differences between the two houses on said bills. We therefore, recommend the appointment of a new Conference Committee for the further consideration of these bills, and the discharge of the present Committee.

Respectfully submitted,
Chas. B. Teasley,
J. M. Bonner,
W. B. Nolen,
Committee on part of the Senate.
A. M. Tunstall,
Hugh D. Merrill,
W. Y. Lovelace,
Committee on part of the House.

And accedes to the request of the Senate for a further Committee of Conference.

And the Speaker named as a further Committee of Conference on part of the House, Messers. Tunstall, St. John and Waddell.

And returns said Conference report together with said bills herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on H. J. R. 19 and ordered same returned to the Senate with a favorable report with the following substitute to-wit:

SENATE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 19.

Be it Resolved by the House, the Senate concurring, that House Joint Resolution No. 19 be amended so as to read as follows:

"There are hereby created the following Recess Committees or Commissions of the Legislature of Alabama, to-wit:

"1. Judiciary, to be composed of two members of the Senate, to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker of the House.

"2. Ways and Means, to be composed of six members of the Senate to be appointed by the President of the Senate, and nine members of the House, to be appointed by the Speaker of the House.

"3. Education, to be composed of two members of the Senate, to be appointed by the President of the Senate and three members of the House to be appointed by the Speaker of the House.

"4. Agriculture, to be composed three members of the Senate, to be appointed by the President of the Senate and six members to be appointed by the Speaker of the House.

"5. Business Administration of the State, to be composed of two members of the Senate, to be appointed by the President of the Senate and three members of the House to be appointed by the Speaker of the House.

Resolved, Further, That the president pro-tem of the Senate and the Speaker of the House shall be ex-officio members of the said several committees.

Resolved, Further, That the members of the said several committees shall be paid on the certificate of the Chairman thereof, the same per diem, expense and mileage, while actually engaged as members of the Legislature are now paid, except in cases of adjournment exceeding three days; and the said committees shall each have authority to employ, at reasonable compensation, a competent stenographer for such time as may be necessary for the expeditious discharge of the duties of the Committee; and the said committee shall have power to summon witnesses and call for books and papers; and do and perform such other acts as may be necessary to a full, complete and detailed investigation, study and report on the subjects herein referred to. If in the judgment of any committee it shall be necessary to travel away from the Capitol in making any investigation, then necessary travel expenses shall be paid in addition to the compensation above fixed.

Resolved, Further, That the said committees shall make full reports and recommendations regarding their findings, together with bills which in their judgment are proper to bring about the ends sought by their recommendations.

Resolved, Further, That the duties of said committees shall be as follows:

"1. Judiciary: To consider all questions concerning the judicial system of the State, organization of the courts, enforcement of criminal laws, procedure, and all matters affecting the administration of justice.

"2. Ways and Means: To consider all questions of finance and taxation and the raising of revenue for the State, together with a complete revision of the system for raising revenue by taxation, or otherwise.

"3. Education: To consider the matter of public education in the State of Alabama, and the system of laws regarding the same, and particularly, to study the School Code of Alabama.

"4. Agriculture: To consider all matters pertaining to the Agricultural welfare of the farming interests of the State of Alabama.

"5. Business Administration of the State: To investigate each and every department of the State, and the business organization thereof, including the business organization of the State Senate and the House of Representatives, the expenditure therein, for what purpose, and how paid, and any abuse, waste or improper use of public funds or property. The Committee shall report upon the present efficiency of the various departments and their employees, and shall recommend such economies as can be put into effect without detriment to the public service.

Resolved, Further, That it is the duty of the said several committees to make their several investigations and prepare their reports at a conveniently early date, and in such time that their reports may be on file at the reconvening of the Legislature at its adjourned session.

Resolved, Further, That the foregoing is not intended to include or prejudice the several and separate matters covered by and provided for in H. J. R. 25, S. J. R. 10, 25, 26 and 28 and S. B. 74.

And on motion of Mr. Brown, said substitute was adopted.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Hines	Mitchell	Thompson
Caffey	Holmes	Moore	Walker
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Smith	Young
Ellis of Dallas			—33

Nays:—None.

And said resolution, as thus amended, was concurred in and adopted.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Hall	Mitchell	Teasley
Brown	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walker
Carlton	Jackson	Nolen	Walton
Cowan	James	Oliver	Warren
Craft	Jones	Smith	Williams
Edgar	Justice	Stanley	Young
Ellis of Dallas			—33

Nays:—None.

Also with a favorable report:

H. J. R. 26 Relative to the display of the U. S. and Alabama flags.

And on motion of Mr. Brown, said report was concurred in and said resolution adopted.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Fifteenth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Fifteenth legislative day was approved by the Senate.

ADJOURNMENT

At 4 P. M., on motion of Mr. Jack, the Senate adjourned until 10 o'clock tomorrow morning.

SIXTEENTH DAY

Friday, February 11, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Rivers, Representative from Winston County.

ROLL CALL

Present:

JOURNAL

On motion of Mr. Stokes, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brown:

S. 161. To amend Sections 2948 and 2973 of the Code of Alabama of 1923.

Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Mitchell, Chairman of the Standing Committee on Education, reoprted that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Simpson:

H. 47. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Mr. Loflin, Chairman of the Standing Committee on Counties and County Boundaries reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cockrell:

H. 150. To amend subdivision 1 of Section 6755 of the Code of 1923.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; to define offenses against drainage districts and providing penalties therefor; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for the assessment and collection of the costs and expenses of installing drainage systems and issuing and selling bonds therefor, and for the care and maintenance of such improvements when constructed, not in excess of the increased value of such property by reason of the special benefits derived from such improvements.

By Mr. Waddell:

H. 93. To amend Sections 2, 5, and 20 of An Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by An Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend Section 8 of An Act entitled 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers,'' approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Sections 2, 5 and 20 are each respectively compiled and arranged as Sections 6221, 6224 and 6239 of the Code of Alabama of 1923.

By Mr. Waddell:

H. 87. Recognizing, ratifying, and confirming the consolidation of the State Bar with the Alabama State Bar Association, under the name of "The Alabama State Bar Association' and under the constitution and by-laws as adopted by said consolidated body, effected in pursuance of Section 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend Section 8 of an Act entitled: 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers,' approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Section 20 is compiled and arranged as Section 6239 of the Code of Alabama of 1923.

By Mr. Ware:

H. 115. To amend Section 952, Code of Alabama 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. B.'s 87, 93 and 220 To the Committee on Judiciary.

H. B. 115 To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the House Joint Resolution:

H. J. R. No. 25. Relative to appointment of a Joint Committee to investigate county affairs in Jefferson County, Alabama.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To the Legislature of Alabama,
Gentlemen of the House:

I am returning herewith to the House as the point of origin, House Joint Resolution No. 25 without my approval. I suggest as an amendment there there be stricken from said resolution the following words, "and whereas the present administration of the county has brought its financial condition to a deplorable and unenviable status bordering on to chaos and ruin; and whereas the entire administration of county affairs in Jefferson County reeks with inefficiency and wastefulness."

With these words stricken from the resolution, I will be pleased to give it my approval.

Respectfully,
Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the House Joint Resolution by a vote of a majority of the whole number elected to the House, said vote being Yeas, 77; Nays, 0.

And said House Joint Resolution as amended by the amendment proposed by the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the House, said vote being Yeas, 74; Nays, 0.

And said House Joint Resolution together with the Governor's Message containing the proposed amendment is sent here with to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Fite, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to H. J. R. 25 the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from the Governor.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Brown	Hall	Jones	Smith	
Caffey	Hines	Justice	Stanley	
Cowan	Holmes	Loflin	Walker	
Craft	Jack	Moore	Walton	
Ellis of Dallas	Jackson	Nixon	Warren	
Fite	James	Oliver		—23

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said resolution, as thus amended, by the amendment of the Governor, was again read a third time at length and adopted.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Brown	Hall	Jones	Smith	
Caffey	Hines	Justice	Stanley	
Cowan	Holmes	Loflin	Walker	
Craft	Jack	Moore	Walton	
Ellis of Dallas	Jackson	Nixon	Warren	
Fite	James	Oliver		—23

Nays:—None.

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING

The Bill:

H. 159. To amend subdivision "K" of Section 5 of the Act entitled "An Act to provide for the general revenue of the State of Alabama," approved the 15th day of September, 1919, which subdivision reads as follows: "K" On the gross amount of commissions of sums charged and received during each year by any factor, broker, or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any other act in the course of their business, and for the value of a com-

mission, or by compensation by bale, sack, package, article, or otherwise.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

To amend House Bill 159 by striking from the next to last paragraph of said bill beginning after the word "any" the following:

"factor, broker, or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any any other act in the course of their business, and for the value of a commission, or by compensation by bale, sack, package, articles or otherwise, provided, nothing herein contained shall be construed as levying a tax on commissions received for the sale of real estate. Be it further provided that no such tax shall hereafter be collected on commissions received for the sale of real estate, whether such sale occurred prior to the enactment hereof, or otherwise."

and inserting in lieu thereof the following:

"auctioneer, provided, nothing herein contained shall be construed as levying a tax on commissions received for the sale or rental of real estate, or brokerage on loans on real estate or the underwriting of insurance. Be it further provided that no such tax shall hereafter be collected on commissions received for the sale or rental of real estate or brokerage on loans on real estate or the underwriting of insurance, whether such sale or rental on loans or real estate, or the underwriting of insurance occurred prior to the enactment hereof or otherwise.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stanley
Brown	Hall	Mitchell	Stokes
Caffey	Hines	Moore	Teasley
Carlton	Jack	Nixon	Thompson
Cowan	Jackson	Nolen	Walker
Craft	James	Oliver	Walton
Edgar	Jones	Smith	Warren
Ellis of Shelby	Justice		

—30

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Mitchell	Walker
Cowan	Jack	Moore	Walton
Craft	Jackson	Nixon	Warren
Edgar	James	Smith	

—27

Nays:—None.

The Bill:

H. 238. To repeal an Act entitled "An Act to provide and require the payment in cash only of fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County."

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Hines	Mitchell	Teasley
Bradford	Holmes	Moore	Thompson
Caffey	Jack	Nixon	Walker
Carlton	Jackson	Nolen	Walton
Cowan	James	Oliver	Warren
Edgar	Jones	Stanley	Williams
Ellis of Dallas	Justice	Stokes	Young
Ellis of Shelby	Loflin		

—30

Nays:—None.

The Bill:

H. 212. To alter, to rearrange the boundaries of the town of Homewood, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Teasley
Carlton	Hines	Moore	Thompson
Cowan	Holmes	Nixon	Walker
Craft	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	Jones		

—30

Nays:—None.

The Bill:

H. 181. To provide additional duties and confer additional powers on each member of the court of county commissioners of Talladega County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his distirct, and to fix the salary and compensation of said commissioners.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Oliver
Bradford	Fite	Justice	Stanley
Brown	Hall	Loflin	Stokes
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Moore	Walton
Cowan	Jack	Nixon	Warren
Edgar	Jackson	Nolen	Williams
Ellis of Dallas	James		—30

Nays:—None.

The Bill:

H. 261. To further provide for the compensation of official court reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Moore	Thompson
Cowan	Holmes	Nixon	Walker
Craft	Jack	Nolen	Walton
Edgar	James	Smith	Warren
Ellis of Dallas			—25

Nays:—None.

The Bill:

H. 199. For the relief of Claudia Smith, Custodian of the funds of the Inferior Court of Autauga County, Alabama, and to authorize the payment out of the funds the sum of $380.00, for services rendered as Custodian of said funds for a period of time beginning Oct. 1st. 1923 and ending Jan. 1st, 1927 at the rate of $10.00 per month.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Dallas	Jones	Stanley	Young
Ellis of Shelby	Justice		—30

Nays:—None.

The Bill:

H. 224. To amend Sections 12, 16 and 21, and repeal Section 23, and add Section 13½ to, an Act entitled An Act: "To establish an inferior court to be known as the inferior court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justices of the peace in Athens Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1,500 or more according to the last Federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Carlton	Hines	Moore	Thompson
Cowan	Jack	Nixon	Walker
Craft	Jackson	Oliver	Walton
Edgar	James	Smith	Williams
Ellis of Dallas	Jones		-30

Nays:—None.

The Bill:

H. 223. To amend Sections 10 and 20, and add Section 24½ to an act entitled An Act "To provide for the better building, maintenance and protection of the public roads and bridges and ferries of Limestone County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into

effect; to provide for the appointment of a county engineer and to fix his duties", approved September 19, 1923.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Bradford	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walker
Cowan	Jack	Nixon	Walton
Craft	Jackson	Nolen	Williams
Ellis of Dallas	James	Smith	Young
Ellis of Shelby	Jones		

—30

Nays:—None.

The Bill:

S. 158. To repeal an Act entitled An Act, "To establish the office of Road Supervisor in and for the County of Calhoun; to prescribe his qualifications and duties, to fix his salary and to provide for the method of his election or appointment, approved August 30, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Brown	Hall	Loflin	Stokes
Caffey	Hines	Mitchell	Thompson
Carlton	Holmes	Moore	Walker
Cowan	Jack	Nixon	Walton
Craft	Jackson	Nolen	Warren
Ellis of Dallas	James	Oliver	Williams
Ellis of Shelby	Jones		

—30

Nays:—None.

The Bill:

S. 157. To amend Section 6 of an Act entitled An Act, To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority

granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors, approved September 17, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Teasley
Carlton	Hines	Moore	Walker
Cowan	Jack	Nixon	Walton
Craft	Jackson	Nolen	Warren
Edgar	James	Oliver	Williams
Ellis of Dallas	Jones		—30

Nays:—None.

The Bill:

H. 240. To repeal an act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act."

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Smith	Young
Ellis of Dallas	Jones		—30

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Grove:

H. J. R. No. 52. Resolved by the House the Senate concurring that when the two Houses adjourn today they adjourn to meet Tuesday, February 15, 1927, at 2 o'clock, p. m.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Ellis of Dallas, the Senate concurred in and adoted H. J. R. 52, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested:

H. 170. To amend Sections 6383 and 6384 of the Code of Alabama of 1923.

Also:

H. 253. To relieve the tax assessor of Etowah County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order, according to beats, the original assessment lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Also:

H. 244. To amend an Act entitled An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison county now existing in said county, and abolishing said board of revenue in Madison county; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County

to impose a tax on gasoline, woco-pep or other substitute therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners approved September 20th, 1923, by amending Sections 3, 7, 11, 12½, 14, 15, and 16, and by adding thereto Section 8½.

Also:

H. 262. To regulate further the financing of public improvements, to permit the reduction or abatement of assessments therefor in certain cases, to provide for the refunding of bonds issued therefor and to validate proceedings heretofore taken relating thereto in cities having a population of as many as twenty-five thousand and less than fifty thousand people according to the last Federal census or any such census which may hereafter be taken.

Also:

H. 96. To make an appropriation of Two Hundred and Fifty Thousand ($250,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present Session of the Legislature and the Recess Committees raised by the Legislature.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the city of Birmingham, and to establish for the consummation of that purpose a court

house commission; and to authorize said commission to build a court house and jail for said county, to sell and convey certain court house properties now owned by the county, to acquire, if deemed necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of said commission and the powers and duties of the board of revenue and treasurer of said county, incident to the construction of said court house and jail.

Also:

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the titles of which are set out in the foregoing Report from Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill your signature thereto is requested:

H. 212. To alter, to rearrange the boundaries of the town of Homewood, Jefferson County, Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the Two Houses on the House Amendment to the bill:

S. 16. To further regulate the working of Convicts in Alabama, and provide penalties for violations of such regulations.

Said conference Report being in words and figures as follows, to-wit:

To the Presiding Officer of the Senate,

To the Speaker of the House of Representatives:

We, your Committee of Conference, having under consideration Senate Bill No. 16, beg leave to report as follows:

That the House recede from the amendments heretofore adopted.

That the House amend Section 1 so as to read as follows:

"Section 1. From and after June 30, 1928, it shall be unlawful to work any convict, State or County, in any coal mine of Alabama."

That the House amend Section 2 so as to read as follows:

"Section 2. That from and after June 30, 1928, it shall be unlawful to hire or lease for any purpose, any convict, State or County."

That the House adopt said amendments and pass the bill as amended.

That the Senate concur in said amendments and pass the bill as amended.

All of which is respectfully submitted, this February 11, 1927.

(Signed)
Travis Williams
Oliver E. Young,
Committee on the part of the Senate.
(Signed)
A. M. Tunstall,
F. E. St. John,
B. deG. Waddell,
Committee on the art of the House.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Williams, The Senate concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House amendment to S. B.

16, the title of which and said Conference report is set out in the foregoing Message from the House.

Yeas, 25; Nays, 10.

Yeas:

Messrs:			
Bradford	Fite	Jones	Smith
Brown	Hall	Justice	Stanley
Caffey	Hines	Loflin	Walker
Carlton	Jack	Mitchell	Walton
Craft	Jackson	Nixon	Williams
Edgar	James	Oliver	Young
Ellis of Dallas			

—25

Nays:

Bonner	Holmes	Stokes	Thompson
Cowan	Moore	Teasley	Warren
Ellis of Shelby	Nolen		

—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

Said Conference Report being in words and figures as follows, to-wit:

To the Presiding Officer of the Senate,
To the Speaker of the House of Representatives:

We, your Committee of Conference, having under consideration Senate Bill 100, beg leave to report as follows:

That the House recede from its amendment to said bill.

That Section 9 of said bill be amended by the House so as to read as follows:

"Section 9. Nothing in this act shall prevent any county or counties of this State from keeping or working its or their county convicts according to the law as it now exists or may hereafter be enacted and no county convict shall be worked in any coal mine or worked under lease to any person, firm or corporation after June 30, 1928. Provided, However, that the Governor of Alabama is empowered and is hereby authorized to order any or all county convicts who are now working or who may hereafter work in the coal mines of Alabama or under lease to any person, firm or corporation, removed from said mines and from said employment and declare any and all contracts under which said convicts are working or may hereafter work terminated and on ninety (90) days notice to the persons, firms or corporations

so working said convicts, order and direct the State Board of Administration to take charge of said convicts under the terms and provisions of this bill."

That Section 12 of said bill be amended by the House so as to read as follows:

"Section 12. That this act shall be in full force and effect insofar as its terms are applicable from and after the date of its approval by the Governor."

That the House pass said bill as amended.

That the Senate concur in each and all of the foregoing amendments and pass the bill as amended.

All of which is respectfully submitted, this February 11, 1927.

(Signed)
Travis Williams,
Oliver E. Young,
Committee on the part of the Senate.
(Signed)
A. M. Tunstall,
F. E. St. John,
B. deG. Waddell,
Committee on the part of the House.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Williams, the Senate concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House amendment to S. B. 100, the title of which and said Conference report is set out in the foregoing Message from the House.

Yeas, 26; Nays, 9.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Jones	Smith
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Jack	Nixon	Williams
Craft	Jackson	Oliver	Young
Edgar	James		—26

Nays:
Messrs.:

Bonner	Moore	Stokes	Thompson
Ellis of Shelby	Nolen	Teasley	Warren
Holmes			—9

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends same herewith to the Senate without engrossment.

By Mr. Goodwyn:

H. 285. To amend Sections 88 and 89 of Chapter 9 of the Code.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 285. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends same herewith to the Senate without engrossment.

By Mr. Darden:

H. 19. To amend Section 8605 of the 1923 Code of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read one time and referred to appropriate Standing Committee as follows:

H. B. 19 To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Adcock:

H. 117. To amend Sections 2948 and 2973 of the Code of Alabama 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 117. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 105. To authorize leaves of absence of employees of the State on full pay, who are members of the American Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Legion Convention in Paris.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 120. To provide for the designation, nomination and election by number of judges in judicial circuits now or hereafter composed of one county having more than two judges and less than nine judges

J. H. Stewart,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 273. To provide for the codification, revision, digesting and promulgation of the public statutes of Alabama which pertain to agriculture and industries, and related subjects, which are administered by, or relate to the duties of the Commissioner of Agriculture and Industries, the Department of Agriculture and Industries or the State Board of Agriculture.

Was taken up.

Mr. Bonner offered the following amendment to said bill to-wit:

Amend H. 273 by adding thereto, at the end of section seven thereof, the following words, namely:

"Provided, however, that the total expense to be incurred hereunder shall not exceed two thousand dollars."

Which was adopted.

Yeas, 32; Nays, 0.

Yeas:

Messrs:

Bonner	Carlton	Ellis of Dallas	Hines
Bradford	Cowan	Ellis of Shelby	Jack
Brown	Craft	Fite	Jackson
Caffey	Edgar	Hall	James

Jones	Nixon	Stanley	Walton
Justice	Nolen	Stokes	Warren
Loflin	Oliver	Thompson	Williams
Moore	Smith	Walker	Young

—32

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 32; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Justice	Stokes
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Moore	Walker
Cowan	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Edgar	Jackson	Oliver	Williams
Ellis of Dallas	James	Smith	Young

—32

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. St. John:

H. 69. To amend Sec. 3238 of the Code of Alabama.

Also:

By Mr. Baldwin (With Notice and Proof):

H. 289. To repeal an Act "To establish in precinct 9 in Covington County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said precinct, to be known as the Inferior Court of Florala, to define the jurisdiction and powers of said court and judge thereof," approved August 22, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the coming regular session of the 1927 Legislature of Alabama, a bill will be introduced to repeal an Act entitled an Act "To Establish in Precinct 9 in Covington County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in said precinct to be known as the Inferior Court of Florala, to define the jurisdiction and powers of said Court and

the Judge thereof." Approved August 22nd, 1923; said repeal to take effect on the passage and approval of said bill.

E. O. Baldwin,
Representative of Covington County, Alabama.

THE STATE OF ALABAMA,
Covington County.

Before me, Annie Ruth Broxson, a Notary Public in and for said County and State, personally appeared Oscar M. Dugger, who, being by me first duly sworn deposes and says: That he is Editor of the Andalusia Star, a newspaper published at Andalusia in Covington County, Alabama; that the hereto attached notice was published once a week for four consecutive weeks in said paper, having been published in the issues of January 7, 14, 21, and 28, 1927.

Oscar M. Dugger,

Sworn to and subscribed before me this the 5th day of February 1927.

Annie Ruth Broxson,
Notary Public.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were read once and referred to appropriate Standing Committees as follows:

H. 69. To the Committee on Judiciary.

H. 289. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill.

S. 68 To amend Section 4039 of the Code of 1923.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Williams, The Senate concurred in and adopted the following amendment by the House to S. B. 68, the title of which is set out in the foregoing message from the House; said amendment being as follows: House Committee Amendment to Senate Bill 68:

Amend Senate Bill 68 by adding thereto the following section:

3. Provided that no fees of a Circuit Solicitor or trial tax, whether heretofore accrued or hereafter accruing, shall be taxed

against or paid out of the fine and forfeiture funds of any county.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Fite	Moore	Thompson
Brown	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Justice	Stanley	Young
Ellis of Dallas			—29

Nays:—None.

And said bill, as thus amended, was again read a third time at length and passed.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Fite	Moore	Thompson
Brown	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Justice	Stanley	Young
Ellis of Dallas			—29

Nays:—None.

BILLS ON THIRD READING RESUMED

The Bill:

S. 152. To amend Section 376 of the Code of Alabama.

Was taken up.

The Committee on Privileges and Elections reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL 152

A Bill to be entitled An Act to amend Section 376 of the Code of Alabama:

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 376 of the Code of Alabama be and the same is hereby amended so as to read as follows:

"376. Special Registration. In addition to the regular registration provided in this Article, the courts of county commissioners, boards of revenue, or other courts of like juridsiction of

the several counties may make an order requiring the books of registration to be opened for five working days during the month of July, 1921, and each two years thereafter for the purpose of registering voters; provided, that if during any such years a constitutional amendment should be submitted to the voters for ratification in any month prior to July, then the courts of county commissioners, boards of revenue, or other courts of like jurisdiction in the several counties of the State, may make an order requiring the books of registration to be opened for five working days during the month next preceding the month in which said constitutional amendment is to be voted on, for the purpose of registering voters.

Which was adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Moore	Stokes
Bradford	Fite	Nixon	Thompson
Brown	Hines	Nolen	Walker
Carlton	Holmes	Oliver	Walton
Cowan	Jack	Smith	Warren
Craft	James	Stanley	Young
Edgar	Justice		

—26

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Nixon	Thompson
Brown	Holmes	Nolen	Walker
Cowan	Jack	Smith	Walton
Craft	James	Stanley	Warren
Edgar	Jones	Stokes	Young
Ellis of Dallas			

—21

Nays:—None.

The Bill:

H. 126. To authorize the Board of Education of any county, in order to acquire, construct or repair any public school building in any school district of such county or for paying for a public school building or buildings already built in any such district, or to raise money for any such purpose, to issues interest bearing school warrants.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Hines	Moore	Thompson
Brown	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Edgar	James	Smith	Williams
Ellis of Dallas	Jones	Stokes	Young
Fite	Justice		

—22

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 125. To authorize and empower any political party hereafter holding a primary election under the primary election laws of Alabama for the nomination of its candidates for circuit judge to sit as of course in that branch or division of the circuit court which is now held or may hereafter be held at a place other than the county site for the trial of cases arising within a designated portion of such county in circuits composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such court.

Also:

S. 129. To fix the salary of the deputy solicitor of Baldwin County, Alabama.

Also:

S. 134. For the relief of James C. Williams.

And has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Sanderson:

H. 124. To amend Sections 7167, 7168, 7171 and 7172 of Article 23, of the Code of Alabama of 1923.

Also:

By Mr. Powell (Notice and Proof):

H. 284. To authorize the sheriff of Walker County Alabama to appoint two special and general deputies, fix their tenure of office, prescribe their duties, fix their compensation and to authorize and require the Court of County Commissioners to pay the same by warrants drawn on the treasurer and paid out of the general funds of said County, and to require said deputies to give bonds in the sum of $2,000.00 payable to said sheriff with conditions as required by Section 2595 of the Code of Alabama, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA,
Walker County.

Before me, Norman Gunn, a Notary Public in and for said county in said state, personally appeared L. S. Richardson, who being by me duly sworn, on oath doth depose and say as follows:

I am the General Manager of The Mountain Eagle, a newspaper published weekly in Walker County, Alabama, and that the notice fully set forth below has been published once a week for four consecutive weeks in the said The Mountain Eagle, to-wit, in the issues of January 12th, January 19th, January 26th and February 2nd, 1927.

L. S. Richardson

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama in 1927 to authorize, in substance, the Sheriff of Walker County, Alabama to appoint four special and general deputies, to fix their compensation, to authorize and require the Court of County Commissioners of said county to pay the same by warrant drawn on the general fund of said County, and to require said deputies to give bond to said sheriff with conditions as required by Section 2595 of the Code of Alabama of 1923.

This the 11th day of January, 1927.

S. D. Kilgore,
Sheriff.

Sworn to and subscribed before me on this the 3rd day of February, 1927.

Norman Gunn,
Notary Public.

(Seal)

Also:

By Mr. Tompkins (With Notice and Proof):

H. 293: To provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said County; and to provide and fix penalties for the violation of the provisions of this Act.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

All parties will take notice that the bill hereinafter set out will be introduced at the General Session of the Legislature of 1927, for passage by the Legislature of Alabama.

R. H. Wiley,
I. C. Bates,
Ben Whiddon,
And Others.

A BILL TO BE ENTITLED AN ACT

To provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said County; and to provide and fix penalties for the violation of the provisions of this Act.

Be it enacted by the Legislature of Alabama:

Section 1. That all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, not exempt from road duty under the general laws of Alabama, shall be required to work upon the public roads of said Houston County, ten full days in each year, or in lieu thereof shall pay the sum of seven and fifty-one-hundredths dollars ($7.50) on or before the first day of April of each year, and if such sum is not paid by said date an additional fifty cents must be paid, all of which shall accrue to the road fund of the County; provided that such sum so paid shall be used for the building, maintenance, upkeep, and repair of the public roads within the precinct in which such money is paid or accrues, and each precinct in the County shall receive back for road purposes all monies paid into said road fund by those subject to the payment of said per capita tax within the limits of such precinct where paid, less the expense of collecting said tax and less also, the expense of keeping the records as hereinafter provided for. All persons subject to road duty, not in the County at the beginning of the road year, but who move into the County afterwards, shall be subject to the payment of the road tax as herein provided, or shall work the road as above provided, in their respective precincts, unless before coming into the County they have fully discharged their road duties for the year in which they have moved into said County. All money collected under the foregoing provisions shall be paid to the county depository by collectors appointed by the Board of Revenue, and be credited by said Depository to the road fund of the County, to be used in the precinct of the County where paid, as above provided; "and shall take from said Depository receipts for such amounts so turned over, such receipts to be kept by them for use in making their partial and final settlements as in this Act provided," and it shall be the duty of every persons subject to such road tax to pay the same to the collectors appointed by the Board of Revenue to collect said tax in said County; provided that any person residing within any city or incorporated town of said County, who has paid Street tax or worked in discharge of his street tax, shall be exempt from the payment of the above tax for the year in which he has paid such street tax or performed said street duty. One collector shall be appointed by the Board of Revenue for each beat or precinct in said County. The collectors so appointed shall each make bond in an amount to be fixed and designated by said Board of Revenue. The road year shall begin on the first day of April of each year and end on the 31st day of March of each year after this Act goes into effect.

Section 2. The Probate Judge of the County shall, on or before the fifteenth day of December of each year, prepare or cause to be prepared official road per capita tax receipts, duly counter-signed by him, containing one hundred receipts each, with a stub attached to each receipt, said receipt and stub to contain blanks for writing in the date, the name of the person whom the receipt is issued, and the beat or precinct from which same was issued, and said receipt books shall be furnished by said Probate Judge to said road tax collectors; and he shall require of said collectors receipts for said books, which receipts he shall retain for his use in making partial set-

tlement with said collectors. All of said road tax per capita receipts shall be numbered consecutively. The Probate Judge shall provide and keep a permanent record of all persons subject to road duty, as herein provided, in said County; and the road tax collectors must from time to time make lists of all persons subject to road duty and report same to the Probate Judge who shall enter same upon the record in his office and which record the said Probate Judge shall revise from time to time, showing the names of all persons subject to road duty under the provisions of this Act.

Section 3. It shall be the duty of such collectors in the respective beats or precincts of the County to collect and pay over to the County Depository of said County the per capita road taxes due to their respective beats or precincts. Each collector shall, between the first day of March and the first day of April of each year make an appointment at one stated place in his precinct at which time and place he shall be present to receive and receipt for such road per capita tax; he shall give notice of such appointment by posting notices, written or printed, at not less than four public places in his beat or precinct, not less than ten days before the date on which he will be present for the purpose of collecting said per capita tax.

Section 4. The said collectors shall receipt for said road per capita tax on receipts furnished to them for that purpose by the Probate Judge of said County; they shall make monthly settlements on the first day of each month with the Board of Revenue for all road per capita tax funds collected by them during the preceding month. The said collectors shall make their final settlement with the said Board of Revenue not later than the fifteenth day of May of each year, at which time they shall make a written report, stating the number of per capita tax reecipts they received from the Probate Judge, the number of reecipts issued by them in the discharge of their official duties during the current year, the names of those who have paid their road tax to them; and they shall also be required to make any and all other statements and reports relative to their official acts, which they may be directed and required to make by said Board of Revenue. And if such collectors fail to turn in any of said receipts which they do not account for in their report and which were not collected by them and paid to the County Depository, or if they fail in the discharge of any of their duties under this Act they and their bondsmen shall be liable.

Section 5. Any person who issues or uses any road per capita tax receipt not official or not properly countersigned, or any person using or issuing any per capita tax receipt for some years other than the year for which it was intended, or any person issuing a road tax per capita receipt when the amount due for same has not been properly paid shall be guilty of a misdemeanor.

Section 6. Any person who issues or causes to be issued any per capita road tax receipt in payment for or in part payment for work done on the public roads of said County, or for material furnished for said roads, shall be guilty of a misdemeanor.

Section 7. The per capita road tax as herein provided for shall be due on the first day of April of each year and shall be delinquent on the first day of May in each year, provided that each person so subject to said tax may, not later than May the first in each year, may, by paying fifty cents extra or eight and no one-hundredths dollars ($8.00) and be discharged from said road duty.

Section 8. Any person having failed to pay the per capita road tax as herein provided for or having failed to work the road after warning, as provided by the road laws of Houston County, heretofore passed by the Board of Revenue, or as provided by any local or general law of the County or State shall be proceeded against as road defaulter.

Section 9. It is hereby made the duty of every person, firm or corporation employing more than three men in said County, to furnish on the appli-

cation of the Board of Revenue or either of them, or any member thereof, the name of every man in their employment, and to specify, if known, the place of residence of every employed man, and upon failing or refusing to do so shall be guilty of a misdemeanor.

Section 10. After the first day of May of each year the road tax collectors shall turn over to the Board of Revenue a list of all persons subject to road duty in their respective beats or precincts who have failed to pay the road tax herein provided for. The said Board of Revenue shall thereupon proceed to have such hands who have failed to pay the road per capita tax, as herein provided for, to work ten full days upon the public roads of their respective beats or precincts, which work may be done under the supervision of road overseers, in the respective beats or precincts, as now provided by law, of the County, or under road foremen or supervisors to be appointed by said Board, for each beat or precinct, or under such rules or regulations as may be promulgated by said Board of Revenue; and such persons so subject to road duty shall be warned out and worked on the public roads in their respective beats or precincts, where such hands live, immediately after the first day of May in each year, or as soon thereafter as may be practicable; provided, however, that in so far as may be practicable such hands must be worked on roads on which they live, and in no case more than three miles from their place of residence. Such persons shall have two days notice of the time and place to meet on the road by written notice served upon the person, or left at the place of residence of such person so subject to such road duty; and any person or persons so warned who fails or refuses to work the road, without legal cause or excuse, shall be proceeded against as a road defaulter, and such defaulter shall be punished as provided by the local laws of Houston County, or the general laws of the State of Alabama, or by the rules and regulations prescribed or promulgated by the said Board of Revenue. Upon the payment of the road tax or the completion of the ten days work on the road, the said overseer, road foreman or other supervisor, or such other person as may be charged with the duty of working such hands on said roads, shall give the persons so working the roads a statement in writing how said person has complied with the warning, and shall also report the same to the Probate Judge who shall enter the same on the permanent record in his office. It shall be the duty of the overseer, road foreman, supervisor or other person charged with the duty of working such hands on the roads as herein provided, to work such hands ten full days on the public roads as in this section provided. Any collector, overseer, foreman, supervisor, or other person charged with the duties set out and named in this section, who fails or refuses to comply with the provisions of this section, shall be guilty of a misdemeanor, and on conviction shall be fined not less than fifty nor more than one hundred dollars.

Section 11. That each person subject to road duty as provided in this Act, who shall fail to pay the road per capita tax herein provided for and who shall fail or refuse to work on the public roads, after legal warning, without lawful excuse, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than one nor more than three dollars for each day in default.

Section 12. That the road per capita tax funds herein provided for shall be used for the building, maintenance, upkeep and repair of the public roads of said County, and shall be used for such purposes in the beat or precinct where paid, and not elsewhere, less the expense of collecting the same, and less also, the expense of keeping the records of same as in this Act provided, and shall be exclusive of and in addition to all other road funds now available for road purposes in the County, or which may hereafter become available for road purposes in the County. That the said Board of Revenue may appoint such road foremen or supervisors as it may

deem necessary and proper to take charge of, manage and superintend the working of the public roads of said County with the funds to accrue under this Act as well as all other funds now or hereafter may become available for road purposes in said County, and the said Board of Revenue may, in their discretion, promulgate such rules and regulations as may be necessary for the working by such foremen or supervisors, all persons subject to road duty who have failed to pay the road per capita tax as herein provided, subject, however, to the provisions of Section 10 of this Act. That said foremen or supervisors shall be required to give bond, conditioned on the faithful performance of their duties as such foremen or supervisors in such sum as the Board of Revenue may deem expedient and proper.

Section 13. That the road foremen or supervisors as provided for in Section 11 of this act, shall keep an accurate account of and on or before the fifth day of each month render to the Probate Judge an itemized statement of all monies which they have contracted or agreed to pay for labor or material in the construction, maintenance, upkeep, or repair of the roads in the several beats or precincts of the County, and such claims or accounts shall be considered by the said Board of the same, or warrants to be drawn against the County out of such road per capita tax funds, or out of any other funds now available or hereafter to become available for road purposes in addition to such road tax funds, and such accounts or claims shall be filed away in the Probate Office in the manner as now provided by law, for other claims and accounts.

Section 14. That the Board of Revenue shall not pay over five per cent to the tax collectors herein provided for the collection of said per capita tax, and the Probate Judge shall receive not more than 2 1-2 per cent on the amounts so collected for any road tax year for keeping the records of the per capita road tax herein provided for.

Section 15. That if any section, clause, provision or portion of this Act shall be held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Section 16. That this Act shall go into effect immediately upon its passage and approval.

Section 17. That all laws and parts of laws, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

PUBLISHERS AFFIDAVIT

STATE OF ALABAMA,
Houston County.

Personally appeared before the undersigned, a Notary Public in and for said county and state Julian Hall, Editor of The Dothan Eagle, a newspaper published at Dothan, in Houston county, Alabama, who deposes and says on oath that a copy of the attached notice and bill was published once a week for 4 consecutive weeks on the following dates: Jan. 15, 22, 29, Feb. 5, 1927, in The Dothan Eagle, without cost to the State,

Julian Hall,
Editor The Dothan Eagle.

Sworn to and subscribed before me this the 7 day of February, 1927.

Maude Baughmer,
Notary Public.

Also:

By Mr. Reeder (With Notice and Proof):

H. 296. To fix and regulate the fees of witnesses in criminal cases and in the county court and circuit court of Lauderdale County, Alabama, and before the grand jury of said county, and

to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

With Notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that application will be made to the Legislature of the State of Alabama to enact into law at the session of the Legislature commencing on the 11th day of January, 1927, the following bill, which will be introduced for enactment at the said session of said Legislature:

To fix and regulate the fees of witnesses in criminal cases and in the county court and circuit court of Lauderdale County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That witnesses in criminal cases in the county court, except in preliminary hearings, and in the circuit court of Lauderdale County, Alabama and before the grand jury of said county, are entitled to one dollar per day and five cents per mile to and from their residence by the route usually traveled.

Section II. The fees of such witnesses subpoenaed on the part of the State to appear at the county court, except in preliminary hearings, or the circuit court or before the grand jury of said county, shall be a preferred claim against the Fine and Forfeiture Fund of said county, and provided that if said fund is exhausted at the time of the presentment of certificate for said fees, then such fees shall be paid out of the General Fund of the county.

Section III. That all witness fees collected by the clerk of the court shall be paid by him into the General Fund of the county treasury, and provided further that the fees of witnesses shall be collected by said Clerk, as now fixed and provided by law, the true intent and purpose of this Act being to pay the State witnesses cash for their attendance at the court, and to collect the fees as now fixed by law for the benefit of the county treasury.

Section IV. This act shall take effect immediately upon its approval by the Governor.

H. L. Reeder, Representative.

STATE OF ALABAMA,
Louderdale County.

AFFIDAVIT OF PUBLICATION

I, W. P. Williams, hereby make oath that I am Secretary-Manager of The Florence Times-News, a newspaper printed and published daily in the City of Florence, Ala., and that the hereto attached clipping is a true copy of a publication made by said newspaper in the matter of Notice of Local Legislation and that said publication appeared in the issues of The Florence Times-News dated Jan. 17, 24, 31, and Feb. 7, 1927.

(Signed) W. P. Williams.

Subscribed and sworn to before me, this 7th day of February, 1927.

Lee Mansell,
Notary Public.

Also:

By Mr. Burleson (With notice and proof):

H. 301. To repeal an Act to abrogate to and abolish the jurisdiction of Justices of the Peace and Notaries public with powers of Justices of the Peace in Morgan County, Alabama; of all criminal causes except as committing magistrates in felony cases.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the undersigned will introduce the following bill at the regular session of the legislature of the State of Alabama which convenes on January 11th, 1927.

A BILL

To be entitled an act to repeal an act to abrogate to and abolish the jurisdiction of Justices of the Peace and notaries public with powers of Justices of the Peace in Morgan County, Alabama; of all criminal causes except as committing magistrates in felony cases.

Be it enacted by the legislature of Alabama:

Section 1. That the certain act of the Legislature of Alabama entitled, "An Act to abrogate to and abolish the jurisdiction of Justices of the Peace and notaries of public with powers of Justices of the Peace and notaries of public with powers of Justice of the Peace in Morgan County, Alabama; of all criminal causes, except as committing magistrates in felony cases," approved September 26, 1919, be and the same is hereby repealed.

Section 2. Be it further enacted that this repealing act shall go into effect immediately upon its approval by the Governor.

F. E. Burleson.

PUBLISHERS AFFIDAVIT

STATE OF ALABAMA,
Morgan County.

Before me, the undersigned authority, personally appeared C. R. Walker, who being first duly sworn, deposes and says:

That he is the editor and publisher of the Hartselle Enterprise, a weekly newspaper published at Hartselle, in Morgan County, Alabama, and of general circulation in said county; that the attached notice was published four consecutive times in said Hartselle Enterprise, beginning with the issue of January 13, 1927.

C. R. Walker,

Subscribed and sworn to before me, this 3 day of February, 1927.

Jas. E. Peck,
Notary Public.

Also:

By Mr. Burleson (With notice and proof):

H. 302. To further provide for the construction and maintenance of public roads and bridges for Morgan County, Alabama. By fixing the age limits of those subject to road duty as twenty-one to fifty both inclusive; by providing regulations and penalties to carry the provisions of this act into effect; by prescribing the methods of warning road hands and method of receipting those who pay in lieu of working; by providing for over-

seers and fixing their duties and powers; by making it the duty of the respective members of the Board of Revenue jointly with their duly authorized overseers to prosecute all violators of road laws in Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that at the session of the Legislature of Alabama to convene on January 11th, 1927, application will be made for the passage of a local bill applicable to Morgan County, Alabama. The substance of the proposed local bill shall be:

To further provide for the construction, repair and maintenance of the public roads and bridges for said Morgan County: to provide and require all male inhabitants of Morgan County, between the ages of twenty-one and fifty years, both inclusive, not exempt by the general laws of the state of Alabama, to work the public roads of said county for eight days, of nine hours each, in each calendar year, to require each member of the Board of Revenue of said County to divide the public road of their respective districts into sections, and to appoint overseers, and apportion hands for each section; to prescribe and fix the duties of the members of the Board of Revenue, and of the overseers appointed by them, pertaining to the working of said roads; to provide for the warning of hands apportioned to said roads, and the working thereof by the respective overseers; to make it a misdemeanor for any overseer or any person liable to road duty to fail to discharge the duty or perform the work required of them under this act, and to provide for prosecution for such violations; to give Inferior Courts and Justice of the Peace Courts jurisdiction of all violations under this act, and proide for prosecution therefor in said courts; to authorize the Board of Revenue of said County to make and enforce any and all rules and regulations not contrary to the provisions of this act, which in their direction will better provide for the working and maintenance of said roads: to provide that all persons subject to road duty under this act may be exempt therefrom by paying the sum of five dollars each calendar year, and to provide for the mannoer of payment of the same.

F. E. Burleson.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
Morgan County.

Before me, the undersigned authority, personally appeared C. R. Walker, who being first duly sworn, deposes and says:

That he is the editor and publisher of the Hartselle Enterprise, a weekly newspaper published at Hartselle, in Morgan County, Alabama, and of general circulation in said county; that the attached notice was published four consecutive times in said Hartselle Enterprise, beginning with the issue of January 13, 1927.

C. R. Walker,

Subscribed and sworn to before me, this 3 day of February, 1927.

Jas. E. Peck,
Notary Public.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. B.'s 284, 293, 296, 301, and 302 To the Committee on Local Legislation.

H. B. 124 To the Committee on Corporations.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Sixteenth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Sixteenth legislative day was approved by the Senate.

BILL RETURNED AND RE-REFERRED

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, returned to the Senate without recommendation, the Bill:

H. 185. To fix the ex-officio fees of the sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than seventy-five thousand people, according to the last Federal census or any such census which may hereafter be taken, and to regulate the payment of same.

And on motion of Mr. Fite, said bill was re-referred to the Standing Committee on Local Legislation.

ADJOURNMENT.

At 1:50 P. M., on motion of Mr. Jack and pursuant to joint resolution heretofore adopted the Senate adjourned until Tuesday, February 15, 1927, at 2 P. M.

SEVENTEENTH DAY

Tuesday, February 15, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Thompson, Representative from Etowah County, Alabama.

ROLL CALL

Present:

Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Mitchell	Thompson	
Caffey	Hines	Moore	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Williams	
Edgar	James	Smith	Young	
Ellis of Dallas	Jones	Stanley		—35

JOURNAL

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Walton (With N. & P.):

S. 162. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County; approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, as provided by law, that a bill substantially as follows will be introduced in the Legislature of Alabama, viz:

AN ACT

To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County: approved February 22, 1919: and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Be it enacted by the Legislature of Alabama:

Section 1: That section six of an act entitled An Act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County approved February 22, 1919, be amended so as to read as follows: Section 6: Be it further enacted, that the president of said Board of Revenue shall be its presiding officer and shall sign the minutes of the proceedings of the Board of Revenue, and shall have the same power and authority as the other members in passing upon all questions, and shall sign all contracts entered into by the Board of Revenue in Sumter County.

It shall be his duty to prepare business and obtain information for the sessions of the Board of Revenue, and to see that all orders thereof are properly executed. He shall exercise all duties required of the Judge of Probate as to matters coming before the Court of County Commissioners, except it shall be the duty of the clerk of the Board of Revenue to sign all warrants drawn on the County Treasurer, and all orders for the payment or disbursement of money or funds of the county, after they have been passed upon by the Board of Revenue.

Section 2: Be it further enacted by the Legislature of Alabama that Section 7 of the act entitled An Act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said county approved February 22, 1919, be amended so as to read as follows:

Section 7: Be it further enacted, that said Board of Revenue shall elect a Clerk, who may be a member of the Board and fix his compensation, and shall require of him bond for the faithful performance of his official duties, in such amount as may be fixed by the Board; and may employ such other clerical assistance as may be necessary, and it shall be the duty of the Clerk of the Board of Revenue to attend the meetings of the Board and issue all notices required by said Board of Revenue. The Clerk shall, under the direction of the Board of Revenue, keep the minutes and proceedings of the said Board of Revenue in well bound volumes provided for that purpose. Said records to be kept in the office of the Board of Revenue, and to be open at all reasonable hours to the inspection of the citizens of the county and other interested persons, and the clerk shall perform such duties and matters as may be required of him by said Board of Revenue. The compensation of said clerk and of all other clerical assistance shall be fixed by said Board of Revenue, and his term of office shall be at the pleasure of said Board of Revenue.

Section 3: Be it further enacted by the Legislature of Alabama that Section 13 of the Act entitled An Act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, approved November 1, 1921, be amended so as to read as follows:

Section 13: Be it further enacted, That there shall be elected at the general election in the county of Sumter, in the year 1926, and every six

years therefater, one members from District No. 2, and one member from District No. 3, who shall qualify within fifteen days after the returns shall have been canvassed and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January, next after their election, and shall hold their offices for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1928, and every six years thereafter, one member from District No. 1 and one member from District No. 6, and a President from the county at large who shall qualify within fifteen days after the returns shall have been canvassed, and shall enter upon the discharge of their duties on the first Monday, after the Second Tuesday in January, next after their eelction, and shall hold office for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1930, and every six years thereafter on member from District No. 4 and one member from District No. 5, who shall qualify within fifteen days after the returns have been canvassed, and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January next after their election, and shall hold office for a term of six years, and until their successors are elected and qualified.

That the qualified voters of the county shall be eligible to vote at any election for any member from any District and that the President may reside in any District in the County.

THE STATE OF ALABAMA,
Sumter County.

Before me W. W. Patton, A Notary Public in and for said State and County personally came W. H. Lawrence, who being first duly sworn deposes and says: That he is publisher of Our Southern Home, a weekly newspaper published in Sumter County, Alabama, that the attached notice of a bill to amend an act relative to the Board of Revenue of Sumter County was published in his paper for four consecutive weeks, beginning with the issue of 19th day of January, 1927 and the three issues immediately succeeding.

W. H. Lawrence.

Sworn to and subscribed before me on this the 10th day of February, 1927.

(Seal)

W. W. Patton,
Notary Public.

By Mr. Walton:

S. 163. To provide for the condemnation, by any corporation, person or association of persons owning trees or timber lying, standing or growing on the lands of another, over which said lands such owner has no right of way, rights of way and other easements, or either, for the cutting and removal, or either, of such trees and timber.

Judiciary.

By Mr. Craft (With N. & P.):

S. 164: For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the undersigned intends to apply for the enactment of the following law by the Legislature of Alabama, viz:

"A Bill to be entitled an Act for the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

Be it Enacted by the Legislature of Alabama:

First, That the "State Docks Commission" pay to Carrie Bemis the sum of three thousand dollars ($3,000) as compensation for the death of her minor son, Roy Albert Bemis, which occurred in September, 1926, through the negligence of a co-employe, while Roy Albert Bemis was in the employ of said commission."

Carrie Bemis.

STATE OF ALABAMA,
County of Mobile.

Personally appeared before me, T. Potter Yeend, a notary public in and for said state and county, J. C. Ballentyne, who, being sworn, deposes and says that he is an officer of the Mobile Register, Inc., a corporation, engaged in the business of publishing a daily newspaper in the City of Mobile, State of Alabama, which newspaper is known and designated as the Mobile Daily Register, and is a newspaper of general circulation, and that, as such officer, he is duly authorized to make this affidavit on its behalf; and that the foregoing printed notice was published in said newspaper upon February 2nd, 1927, and once a week for four consecutive weeks (including said date) in said newspaper, viz: upon January 12th, 1927, January 19th, 1927, January 26th, 1927 and on said second day of February, 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me, this, the 11th day of February, 1927

T. Potter Yeend,
(Seal) Notary Public, Mobile County, Alabama.

Notary Public in and for Mobile County, Ala., My Commission Expires June 24, 1930.

REPORTS OF COMMITTEES.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ware:

H. 115. To amend Section 952, Code of Alabama 1923.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Powell:

H. 185. To fix the Ex Officio fees of the Sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than seventy five thousand people according to the last Federal Census or any

such census which may hereafter be taken, and to regulate the payment of same.

By Mr. Bryant: (With N. & P.)

H. 151. To fix the salary of the deputy solicitor of Macon County at twelve hundred dollars per annum, payable in month'y installments of one hundred dollars, and to provide for the payment thereof.

By Mr. Burleson: (With N. & P.)

H. 301. To repeal an act to abrogate to and abolish the jurisdiction of Justices of the Peace and notaries public with powers of Justices of the Peace in Morgan County, Alabama; of all criminal causes except as committing magistrates in felony cases.

By Mr. Powell: (With N. & P.)

H. 284. To authorize the sheriff of Walker County Alabama to appoint two special and general deputies, fix their tenure of office, prescribe their duties, fix their compensation and to authorize and require the Court of County Commissioners to pay the same by warrants drawn on the treasurer and paid out of the general funds of said County, and to require said deputies to give bonds in the sum of $2,000.00 payable to said sheriff with conditions as required by Section 2595 of the Code of Alabama, 1923.

By Mr. Tompkins: (With N. & P.)

H. 293. To provide for the working of all male inhabintants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax, to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this act.

By Mr. Lovelace: (With N. & P.)

H. 103. To validate the proceedings of the court of county commissioners of Escambia County, Alabama, made and entered since February 1, 1923, so far as the same relate to all loans made to said county, and to validate and confirm all outstanding county warrants and refunding warrants for money borrowed for county purposes.

By Mr. Johnson: (With N. & P.)

H. 203. To fix and provide for the payment out of the County Treasury the salary for the Deputy Solicitor for Clarke County, Alabama, and to repeal all laws and parts of laws in conflict herewith.

By Mr. Burelson: (With N. & P.)

H. 302. To further provide for the construction and maintenance of public roads and bridges for Morgan County, Alabama by fixing the age limits of those subject to road duty as twenty-one to fifty both inclusive; by providing regulations and penalties to carry the provisions of this act into effect; by prescribing the methods of warning road hands and method of receipting those who pay in lieu of working; by providing for overseers and fixing their duties and powers; by making it the duty of the respective members of the Board of Revenue jointly with their duly authorized overseers to prosecute all violators of road laws in Morgan County.

By Mr. Baldwin: (With N. & P.)

H. 289. To repeal an Act "To establish in precinct 9 in Covington County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said precinct, to be known as the Inferior Court of Florala, to define the jurisdiction and powers of said court and judge thereof," approved August 22, 1923.

By Mr. Reeder: (With N. & P.)

H. 296: To fix and regulate the fees of witnesses in criminal cases and in the county court and circuit court of Lauderdale County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adcock:

H. 117. To amend Sections 2948 and 2973 of the Code of Alabama 1923.

By Mr. St. Johns: (With N. & P.)

H. 68. For the relief of E. Finke and to appropriate for said E. Finke the sum of One Hundred Dollars for money paid by him for the use of the State for a license for the year 1925-26 for the operation of a poolroom in Cullman, Alabama.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Darden:

H. 19. To amend Section 8605 of the 1923 Code of Alabama.

By Mr. Moxley:

H. 206. To regulate the expenditure of the proceeds from the excise tax and other motor fuels, as enacted in 1923, upon the public roads and bridges in an equitable manner in all counties of this State having a population of 23,000 and not over 23,100 people, according to the last federal census.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 125. To authorize and empower any political party hereafter holding a primary election under the primary election laws of Alabama for the nomination of its candidate for Circuit Judge to sit as of course in that branch or division of the Circuit Court which is now held or may hereafter be held at a place other than at the county site for the trial of cases asising within a designated portion of such county in circuits composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such court.

S. 68. An Act, To amend Section 4039 of the Code of 1923.

S. 105. An Act, To authorize leaves of absence of employees of the State on full pay who are members of the American Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Convention in Paris.

S. 120. An Act, To provide for the designation, nomination, and election by number of judges in judicial circuits now or

hereafter composed of one county having more than two judges and less than nine judges.

S. 129. An Act, To fix the salary of the Deputy Solicitor of Baldwin County, Alabama.

S. 134. An Act, For the relief of James C. Williams.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from Committee on Enrolled Bills.

REPORT FROM RULES COMMITTEE.

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report to-wit:

H. J. R. 43 Requesting the President of the United States to call an extra session of Congress after adjournment of the present session so that the policy of the Government in the operation of the dam and nitrate plants at Wilson Dam may be finally determined.

And on motion of Mr. Brown, said report was concurred in and said resolution concurred in and adopted.

RESOLUTION.

The Rules Committee reported the following Senate Joint Resolution:

S. J. R. 38. Resolved by the Senate, the House concurring, That the Secretary of the Senate, assisted by the Assistant Secretary of the Senate, the Second Assistant Secretary of the Senate and the Chief Clerk to the Secretary of the Senate, together with six assistants to be named by the Secretary of the Senate, the Clerk of the House, the Assistant Clerk of the House and the Reading Clerk of the House, together with six assistants to be named by the Clerk of the House, be allowed the customary fifteen days within which to check, compare and complete the journals of the House and Senate beginning immediately upon the recess of the Legislature.

Be it further resolved, That the Secretary of the Senate and Clerk of the House shall keep their respective offices open during the above specified fifteen days for the convenience of any Senator or Representative and the recess committees of the Legislature.

Be it further resolved, That after the completion of the work on the journals, the Secretary of the Senate, the Assistant Secretary of the Senate and the Second Assistant Secretary of the Senate, the Clerk of the House, Assistant Clerk of the House and the Reading Clerk of the House shall be required to keep open the offices of the Secretary of the Senate and Clerk of the House during the remainder of the recess of the Legislature for the convenience of any Senator or Representative and the recess committees of the Legislature and such recess committees may require of them any service necessary to facilitate committee work.

The clerks herein mentioned shall be allowed the same per diem as they are now allowed by law and shall also be allowed their traveling expenses while traveling with or for a recess committee, should they be called upon to do so by any of said committees, to be paid out of the State Treasury upon certificate approved by the presiding officer of the respective houses.

And on motion of Mr. Brown, the rules were suspended and said Resolution adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	James	Smith
Bradford	Ellis of Dallas	Jones	Stokes
Brown	Hall	Justice	Thompson
Caffey	Hines	Loflin	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson		

—26

Nays:—None.

REPORT FROM RULES COMMITTEE.

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Resolutions and ordered same returned to the Senate with a favorable report to-wit:

H. J. R. 35. Urging the Senators and Representatives in Congress from Alabama to use their best efforts to secure the substitution of cotton for jute either by tariff levy, or otherwise as may seem to them wise and expedient.

Also:

H. J. R. 36. Commending steps taken by manufacturers to increase the demand for cotton.

And on motion of Mr. Brown, said report was concurred in and said Resolutions H. J. R. 35 and 36 concurred in and adopted by the Senate.

Yeas, 33; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Stanley
Bradford	Hall	Loflin	Stokes
Brown	Hines	Mitchell	Teasley
Caffey	Holmes	Moore	Thompson
Carlton	Jack	Nixon	Walker
Cowan	Jackson	Nolen	Walton
Craft	James	Oliver	Warren
Edgar	Jones	Smith	Young
Ellis of Dallas			—33

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested:

H. 181. To provide additional duties and confer additional powers on each member of the court of county commissioners of Talladega County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said commissioners.

Also:

H. 199. For the relief of Claudia Smith, custodian of the funds of the Inferior Court of Autauga County, Alabama, and to authorize the payment out of the funds the sum of $380.00, for services rendered as custodian of said funds for a period of time beginning Oct. 1st, 1923 and ending Jan. 1st, 1927 at the rate of $10.00 per month.

Also:

H. 238. To repeal an Act entitled "An Act to provide and require the payment in cash only of fines and forfeitures accruing or becoming due to Dale County, Alabama, or to the State of Alabama for the use of Dale County."

Also:

H. 261. To further provide for the compensation of official court reporters in all judicial circuits of the State of Alabama

which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

Also:

H. J. R. 26. Relative to the displaying of the Alabama Flag together with the National Flag on the Capitol grounds.

Also:

H. J. R. 25. Relative to the establishing of a Joint Recess Committee on the two Houses for the purpose of investigating the financial condition of Jefferson County.

Also:

H. 240. To repeal an Act entitled "An Act to provide for the collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act."

Also:

H. 223. To amend Sections 10 and 20, and add Section 24½ to an Act entitled An Act "To provide for the better building, maintenance and protection of the public roads and bridges and ferries of Limestone County; to provide funds, regulations and penalties to carry the provisions and purposes of this Act into effect; to provide for the appointment of a county engineer and to fix his duties", approved September 19, 1923.

Also:

H. 224. To amend Sections 12, 16 and 21, and repeal Section 23, and add Section 13½ to, an Act entitled An Act: "To establish an inferior court to be known as the inferior court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1,500 or more according to the last Federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

Also:

H. 126. To authorize the Board of Education of any county, in order to acquire, construct or repair any public school building in any school district of such county or for paying for a public school building or buildings already built in any such dis-

trict, or to raise money for any such purpose, to issue interest bearing school warrants.

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolutions the titles of which are set out in the foregoing Message from the House.

SENATE RESOLUTION NO. 39.

The Rules Committee reported the following Senate Resolution:

Whereas it is apparent that the senate is carrying on the payroll of the state a greater number of subordinate employees (as defined in Section 1530 of the 1923 Code as amended by an act approved January 17, 1927) than are necessary for the efficient handling of the business of the senate, and

Whereas in the interest of economy it is important that the number of such subordinate employees be reduced, and whereas experience with the present session will show what employed force is required for the proper handling of the business of the senate, and

Whereas the legislature is about to adjourn for a recess of several months;

Now, Therefore, be it Resolved by the senate of Alabama that as and from the day of such adjournment for the long recess the said subordinate employees of the senate be and they are hereby released from their several employments.

Resolved further that the President of the senate is authorized to appoint a committee of three members of the senate with the following powers and duties:

(1) During the recess to determine what subordinate employees are required for the reasonable handling of the senate's business;

(2) To provide a method of selection of such employees (except as to committee clerks) and if they think proper to select such employees; giving assurance so far as this may be done that such employments are based wholly on efficiency and merit, and to this end to provide as they think best against political influence in connection with such employments.

Resolved, further, that nothing herein shall prevent or interfere with such employments as may hereafter be made by authority of any joint resolution of the senate and house in connection with work to be done during said recess.

Mr. Fite moved that said Resolution be laid upon the table, which motion prevailed and the Resolution was tabled.

Yeas, 24; Nays, 9.

Yeas:
Messrs.:

Bonner	Fite	James	Oliver
Bradford	Hall	Jones	Smith
Caffey	Hines	Justice	Stanley
Carlton	Holmes	Loflin	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nixon	Young

—24

Nays:
Messrs:

Ellis of Dallas	Nolen	Teasley	Warren
Ellis of Shelby	Stokes	Walker	Williams
Mitchell			

—9

Mr. Brown offered the following Resolution:

S. J. R. 40. Resolved that when the two Houses adjourn today, they adjourn to meet again Thursday February 17, 1927, at 10:00 A. M.

Which was read and referred to the Standing Committee on Rules.

RESOLUTION.

Mr. Edgar offered the following Senate Joint Resolution:

S. J. R. 41. Be it resolved by the Senate, the House concurring that when the Legislature adjourns this afternoon it adjourn to meet again at 10:00 o'clock Friday morning; it being the purpose of the Legislature to recess on that day to a day in the Spring or Summer of this year.

Which was referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report to-wit:

S. J. R. 41. Relative to adjournment of the two houses until Friday Morning at 10:00 o'clock.

On motion of Mr. Brown, said report was concurred in and said Resolution adopted.

BILLS ON THIRD READING.

The Bill:

S. 151. To amend Section 10291 of the Code of Alabama of 1923.

Was taken up.

The Committee on Judiciary reported the folowing amendment to said bill to-wit:

Amend Section 1 by striking out all of the words after "read as follows"; and insert in lieu thereof the following words:

"10291. Opinion of Supreme Court Protective:

The opinion of the Justices of the Supreme Court or a majority of them shall be a protection to the officers and departments of the State, acting in accordance therewith, in the same manner and to the same extent as opinions of the Attorney General of the State, and in the event of a conflict between the opinions of the Attorney General and the opinion of the Justices of the Supreme Court rendered in accordance with Article 2 of Chapter 347 of the Code of Alabama of 1923, the opinion of the Justices of the Supreme Court shall take precedence and prevail. All opinions of the Justices of the Supreme Court heretofore rendered in accordance with Art. 2 of Chapter 347 shall have the protective force and effect provided for herein.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Teasley
Bradford	Ellis of Shelby	Justice	Thompson
Brown	Fite	Loflin	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Oliver	Warren
Cowan	Holmes	Smith	Williams
Craft	Jack	Stokes	Young
Edgar	Jackson		—30

Nays:—None.

And said bill, as thus amended was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Navs. 0.

Messrs.:
Yeas:

Bonner	Cowan	Hall	James
Bradford	Craft	Hines	Jones
Brown	Edgar	Jack	Justice
Carlton	Fite	Jackson	Loflin

Mitchell	Smith	Thompson	Warren
Nixon	Stokes	Walker	Williams
Oliver	Teasley	Walton	Young

—28

Nays:—None.

The Bill:

H. 150. To amend subdivision 1 of Section 6755 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	James	Nolen
Bradford	Fite	Jones	Smith
Brown	Hall	Justice	Stanley
Carlton	Holmes	Loflin	Walker
Cowan	Jack	Mitchell	Warren
Craft	Jackson	Nixon	Williams
Edgar			

—25

Nays:—None.

The Bill:

H. 95. To fix the per diem or compensation of members of all recess committees appointed by joint resolution of the two houses, or by either the House or Senate of the Legislature.

Was taken up.

The Committee on Rules reported the following substitute to said bill to-wit:

SUBSTITUTE FOR HOUSE BILL 95

A BILL

To be entitled An Act to fix the per diem or compensation of members of all recess committees by joint resolution of the two houses of the Legislature.

Be it enacted by the Legislature of Alabama:

Section 1. That the compensation of all members of recess committees or commissions provided for by joint resolution of the two houses of the Legislature be, and the same is hereby, fixed at the same per diem, expense and mileage as members of the Legislature are now paid. Said committee or commissions shall receive compensation for the entire time engaged, except in cases of adjournment exceeding three days; provided, that no member shall collect mileage except for one time, in traveling to and from his residence to the Capitol: Provided if in the judgment of any Committee it shall be necessary to travel away from the Capitol, in making any investigation, then necessary traveling expenses

shall be paid in addition to the compensation above fixed. Clerk hire shall be paid as provided in House joint resolution No. 19.

Mr. Williams offered the following amendment to said substitute to-wit:

Amend the caption of the Senate Committee Substitute for House Bill No. 95 so as to make same read as follows:

"To fix the per diem or compensation of members of all recess committees or commissions appointed by joint resolution or act of the two houses of the Legislature, and the compensation of their employees and to provide for their payment."

Amend Section 1 of the Committee Substitute for House Bill 95 so as to make same read as follows:

"Section 1. That the compensation of all members of recess committees or commissions provided for by joint resolution or act of the two houses of the Legislature be, and the same is hereby, fixed at eight dollars per day. Said committees or commissions shall receive compensation for the entire time engaged, except in cases of adjournment exceeding three days; provided, that members shall collect mileage except for one time, in traveling to and from his residence to the Capitol; Provided if in the judgment of any Committee it shall be necessary to travel away from the Capitol, in making any investigation, then necessary traveling expenses shall be paid in addition to the compensation above fixed.

"Persons employed by said several committees shall be paid such reasonable compensation as may be fixed by the Committee making the employment.

"The Chairman of each such committee or commission shall certify to the Auditor what amount is due each member or employee, and the Auditor shall draw his warrant therefor on the State Treasurer."

Which was adopted.
Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stokes
Bradford	Fite	Jones	Thompson
Brown	Hall	Justice	Walker
Carlton	Hines	Loflin	Walton
Cowan	Holmes	Nolen	Warren
Craft	Jack	Smith	Williams
Edgar	Jackson		

—26

Nays:—None.

And said Substitute, as thus amended, was then adopted.
Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jones	Teasley	
Bradford	Hall	Justice	Walker	
Brown	Hines	Loflin	Walton	
Cowan	Holmes	Nixon	Warren	
Craft	Jack	Nolen	Williams	
Edgar	Jackson	Smith	Young	
Ellis of Shelby	James	Stokes		—27

Nays:—None.

And said bill, as thus amended was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stokes	
Bradford	Fite	Jones	Teasley	
Brown	Hall	Justice	Thompson	
Carlton	Hines	Loflin	Warren	
Cowan	Holmes	Nixon	Williams	
Craft	Jack	Nolen	Young	
Edgar	Jackson	Smith		—27

Nays:—None.

The Bill:

H. 162. To require all state and county officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the Treasurer or such other corresponding officer in their respective counties showing monies received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent federal census, and to provide penalties for failure to file such reports and for filing false reports.

Was taken up.

On motion of Mr. Craft, the Senate rescinded its previous action in post-poning said bill until the twenty-fifth Legislative Day, and said bill was put upon its passage.

Mr. Craft offered the following substitute for said bill to-wit:

A SUBSTITUTE BILL FOR H. 162.

To be Entitled an Act to require all Tax Assessors, Tax Collectors, Judges of Probate, and Sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services

and compensation, to file monthly itemized statements, under oath, with the treasurer, or such other corresponding officer, in their respective counties, showing monies received and expended by said officers in their respective offices, and departments, in all counties of the State of Alabama, having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last, or any subsequent Federal Census; and to provide penalties for failure to file such reports.

Be it Enacted by the Legislature of Alabama:

Section 1. That in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand, according to the last or any subsequent Federal Census, all Tax Assessors, Tax Collectors, Judges of Probate and Sheriffs, who are not on a salary exclusively, but who receive fees or part fees for their services and compensation shall, on the 15th day of each and every month, except when such day falls on Sunday or a legal holiday, then on the next succeeding business day, file with the Treasurer, or such other corresponding officer in their respective counties, itemized statements showing monies received and expended by the above named officers or their respective departments, during the preceding month, ending on the last day thereof, including in such statement the sum total of all fees received during each month as such officer, together with the source of such fees and including also an itemized statement of all expenses incurred by such officer, which said statements shall be made under oath, preserved by the person or officer with whom deposited, and shall be open for the inspection of the public, at any and all times during the office hours of said Treasurer, or such corresponding officer.

Section 2. Their failure to file any of the above described reports or statements shall constitute a misdemeanor, punishable by a fine of not more than One Hundred Dollars.

Section 3. This bill shall take effect immediately upon its passage by the Legislature and approval by the Governor.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Stanley	Williams
Ellis of Dallas	Jones		—30

Nays:—**None.**

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Stanley	Williams
Ellis of Dallas	Jones		

—30

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate Amendment to H. J. R. No. 19 providing for the appointment of Joint Recess Committees, and requests Committee of Conference, and the Speaker of the House has named as Conferees on part of the House Messrs. Tunstall, Merrill and Edmundson.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the Senate acceeds to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate Amendment to H. J. R. 19 set out in the foregoing Message from the House and the President and Presiding Officer of the Senate appointed as conferees on the part of the Senate Messrs. Mitchell, Williams and Hines.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted, S. J. R., 41 relative to adjournment of two Houses until Friday, February 18th, 1927 at 10 o'clock a. m. and returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. No. 38. Relative to additional time to be allowed the Clerk of the House and Secretary of the Senate in which to

complete the Journals of the House and Senate and requiring the offices of the Clerk of the House and the Secretary of the Senate to be kept open during the recess.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING RESUMED.

The Bill:

S. 147. To amend Section 9027 of the Code of Alabama (1923).

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Mitchell	Stokes
Bradford	Hines	Moore	Thompson
Brown	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Warren
Cowan	Jones	Oliver	Williams
Ellis of Shelby	Loflin	Smith	Young

—24

Nays:—None.

The Bill:

H. 32. To submit to the qualified voters of the State of Alabama, at the general election to be held on the first Tuesday after the first Monday of November, 1928, for their consideration, an amendment to the Constitution of the State, fixing the salaries and compensations and allowances to be paid to the judge of probate, the tax assessor and the tax collector, the clerk of the circuit court, the county solicitor and the county treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the costs, charges, and fees and salaries of such officers, including the method and basis of their compensation.

Be It Enacted By The Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama, for their consideration, as hereafter set forth, viz.:

"Commencing at the beginning of their next term of office subsequent to the general election to be held on the first Tuesday after the first Monday of November, 1928, "the compensation and

allowance of the following-named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: one clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly installments and disbursed by him.

The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office and $1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund;" that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said county free school text books beginning with the pupils enrolled in the first grade and adding grade by grade as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and

alter amount of compensation received by all other county officers of said county.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State, at least eight consecutive weeks, next preceding the general election in November, 1928, of the election on the amendment proposed by this Act, to be submitted to the qualified voters of the State, for their consideration, together with the proposed amendment.

Section 3. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State upon the proposed amendment. Upon the ballots used at such election, shall be printed the following:

"Amendment to the Constitution, fixing the compensation and allowances of the following named county officers of Walker County, 'Commencing at the beginning of their next term of office, subsequent to the General Election in November, 1928, as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly instalments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office, and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office, and $1,000 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund"; that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such fund into the

treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in prolonging the terms of the public schools of said county, so that all of the school children of said county shall receive a benefit therefrom so far as is practicable, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county. "Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by the cross-mark by him opposite the word expressing his desire.

Section 4. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon such proposed amendment, the votes cast thereat shall be canvassed, tabulated, and the returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Thompson
Brown	Hines	Mitchell	Walker
Caffey	Holmes	Moore	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—30

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp products, wooden cabinets and farm implements, or any other manufactured products.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 10. Relative to the appointment of a Joint Committee to investigate contracts for the furnishing of school books.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate:

By Mr. Beebe:

H. J. R. 29. House Joint, Concurrent Resolution by W. C. Beebe. to make a survey of the Oyster Bearing Waters in Baldwin County, Alabama, similar to what has been done in Mobile County, Alabama, in the Bay of Mobile supplementing and completing the work that has already been accomplished, as well as in Mississippi Sound.

Whereas, the oyster beds and barren bottoms in Mississippi Sound in Mobile County, Alabama, were surveyed by the Department of Commerce and Labor, Bureau of Fisheries, which said survey was made in summer of 1910, and was completed in May, 1911.

And whereas, no survey was made at that time by the Department of Commerce and Labor, Bureau of Fisheries, of the natural oyster beds and barren bottoms, in Baldwin County, Alabama, in said waters,

Therefore, be it resolved by the House, the Senate concurring, That the Department of Commerce and Labor, Bureau of Fisheries, are earnestly requested to complete the survey of the natural oyster beds and barren bottoms of the Alabama waters in Baldwin County in said State, in Mobile Bay,

Be it Further Resolved, That the Governor of Alabama, and the Commission of Game and Fisheries in said State are hereby requested to have the Department of Commerce and Labor, Bureau of Fisheries to complete said survey in Baldwin County, Alabama, for the State of Alabama, said survey being of national, as well of State importance of increasing the supply and production of shell fish,

Be It Further Resolved, That the Honorable I. T. Quinn, Commissioner of Game and Fisheries, for the State of Alabama, is hereby authorized to go to Washington to present these Resolutions to Bureau of Fisheries, in said Department, urging the completion of said survey.

Be it Further Resolved, That copies of these resolutions shall be forwarded by the Hon. I. T. Quinn, to Senators Oscar W. Underwood and J. T. Heflin, and Congressmen John McDuffie, and Lister Hill.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 29, set out in the foregoing message from the House was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 159. To amend subdivision "K" of section 5 of the Act entitled "An Act to provide for the general revenue of the State of Alabama, "approved the 15th day of September, 1919, which subdivision reads as follows: "K" On the gross amount of commissions of sums charged and received during each year by any factor, broker or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any other act in the course of their business, and for the value of a commission, or by compensation by bale, sack, package, article or otherwise.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House having heretofore concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

The House has adopted in accordance with said report of the Committee of Conference the following amendment to the Bill:

Amend Section 1 so as to read as follows:

"Section 1. From and after June 30, 1928, it shall be unlawful to work any convict, State or County, in any coal mine of Alabama."

Amend Section 2 so as to read as follows:

"Section 2. That from and after June 30, 1928, it shall be unlawful to hire or lease for any purpose, any convict, State or County."

And the Bill S. 16, as amended, was again read a third time at length, and passed.

And said Bill, as amended, is returned herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in the foregoing amendment by the House to Senate Bill 16, the title of which and said amendment being set out in the foregoing message from the House.

Yeas, 26; Nays, 0.

Yeas:
Messrs.:

Caffey	Hines	Mitchell	Teasley
Craft	Holmes	Moore	Walker
Edgar	Jack	Nixon	Walton
Ellis of Dallas	Jackson	Nolen	Warren
Ellis of Shelby	James	Oliver	Williams
Fite	Jones	Smith	Young
Hall	Loflin		

—26

Nays:—None.

Yeas:

And said bill, S. 16, as thus amended, was again read a third time at length and passed.

Yeas, 31; Nays, 0.

Messrs.:				
Bonner	Hall	Loflin	Stokes	
Caffey	Hines	Mitchell	Teasley	
Carlton	Holmes	Moore	Walker	
Craft	Jack	Nixon	Walton	
Edgar	Jackson	Nolen	Warren	
Ellis of Dallas	James	Oliver	Williams	
Ellis of Shelby	Jones	Smith	Young	
Fite	Justice	Stanley		—31

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House having heretofore concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 100. To further regulate the custody, care, maintenance and use of the County Convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

The House has adopted in accordance with said report of the Committee of Conference the following amendment to the Bill:

Amend Section 9 so as to read as follows:

"Section 9. Nothing in this act shall prevent any county or counties of this State from keeping or working its or their county convicts according to the law as it now exists or may hereafter be enacted and no county convict shall be worked in any coal mine or worked under lease to any person, firm or corporation after June 30, 1928. Provided, However, that the Governor of Alabama is empowered and is hereby authorized to order any or all county convicts who are now working or who may hereafter work in the coal mines of Alabama or under lease to any person, firm or corporation, removed from said mines and from said employment and declare any and all contracts under which said convicts are working or may hereafter work terminated and on ninety (90) days notice to the persons, firms or corporations so working said convicts, order and direct the State Board of Administration to take charge of said convicts under the terms and provisions of this bill."

Amend Section 12 so as to read as follows:

"Section 12. That this act shall be in full force and effect insofar as its terms are applicable from and after the date of its approval by the Governor."

And the Bill S. 100, as amended, was again read a third time at length, and passed.

And said Bill, as amended, is returned herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teasley, the Senate concurred in the foregoing amendment by the House to Senate Bill 100, the title of which and said amendment being set out in the foregoing Message from the House.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Hall	Mitchell	Teasley
Bradford	Hines	Moore	Thompson
Brown	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Walton
Cowan	Jones	Smith	Warren
Craft	Justice	Stanley	Williams
Edgar	Loflin	Stokes	Young

—28

Nays:—None.

And said bill, S. 100, as thus amended, was again read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Loflin	Teasley
Bradford	Hall	Mitchell	Thompson
Brown	Hines	Moore	Walker
Carlton	Holmes	Nixon	Warren
Cowan	Jack	Nolen	Williams
Craft	Jones	Smith	Young
Edgar	Justice	Stokes	

—27

Nays:—None.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Seventeenth legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the seventeenth legislative day was approved by the Senate.

ADJOURNMENT

At 5:20 P. M., on motion of Mr. Williams and pursuant to Senate Joint Resolution heretofore adopted, the Senate adjourned until Friday Morning, February 18, 1927, at 10 o'clock.

EIGHTEENTH DAY

Friday, February 18, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Jenkins, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

JOURNAL

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hollis:

H. 220. To promote the public health, convenience and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands of the State of Alabama; to provide for the establishment of levee or drainage districts and sub-districts thereof, for the purpose of enlarging or changing any natural

water-courses and for digging ditches or canals for securing better drainage or providing better outlets for drainage; to provide for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; to define offenses against drainage districts and providing penalties therefor; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for the assessment and collection of the costs and expenses of installing drainage systems and issuing and selling bonds therefor, and for the care and maintenance of such improvements when constructed, not in excess of the increased value of such property by reason of the special benefits derived from such improvements.

By Mr. Waddell:

H. 93. To amend Sections 2, 5 and 20 of An Act of the Legislature of Alabama, approved August 9, 1923, entitled: An Act to provide for the organization, regulation and government of the State Bar including admission and disbarments of lawyers. (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled: An Act to amend Section 8 of an Act entitled An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers, Approved August 9th, 1923. (Acts Alabama 1923, p. 587), which Section 2, 5, and 20 are each respectively compiled and arranged as Sections 6221, 6224 and 6239 of the Code of Alabama of 1923.

By Mr. Goodwyn:

H. 285. To amend Sections 88 and 89 of Chapter 9 of the Code.

By Mr. St. John:

H. 69. To amend Sec. 3238 of the Code of Alabama.

By Mr. Waddell:

H. 87. Recognizing, ratifying, and confirming the consolidation of the State Bar with the Alabama State Bar Association, under the name of "The Alabama State Bar Association" and under the Constitution and By-Laws as adopted by said consolidated body, effected in pursuance of Section 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by An Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend section 8 of an Act entitled: 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers, 'Approved August 9th 1923,"

(Acts Alabama 1923, p. 587), which Section 20 is compiled and arranged as Section 6239 of the Code of Alabama of 1923.

MESSAGE FROM THE GOVERNOR

Gentlemen of the Senate:

I am directed by the Governor to hand you herewith his message concerning the election of trustees of the Alabama Insane Hospitals.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

February 18th, 1927.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama:

Gentlemen,

Dr. W. D. Partlow, Superintendent of the Alabama Insane Hospitals, has certified to me that the following have been elected as trustees of the Alabama Insane Hospitals with their term of office,

Dr. E. S. Sledge, Term Expires December 31, 1930.
Dr. Sydney Leach, Term Expires December 31, 1931.
Mr. Robert Jemison, Jr., Term Expires December 31, 1932.
Mr. C. B. Verner, Term Expires December 31, 1933.

I am therefore transmitting their names to you for your action thereon, under Section 1428, Code of Alabama 1923. Your attention is respectfully called to the fact that, under said section, in case of disaffirmance of any of these trustees the Senate shall declare his office vacant and elect a person to fill the place for the balance of the unexpired term.

Respectfully,
Bibb Graves.
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Brown, the Senate confirmed the appointment by the Governor of the foregoing Trustees of the Alabama Insane Hospitals.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		—34

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. J. R. 10: Relative to a Joint Recess Committee of the two Houses to investigate the School Text-books of the State.

S. J. R. 38: Relative to additional time allowed the Secretary of the Senate and Clerk of the House in which to check and compare the Journals of the two Houses, and requiring such Secretary of the Senate and Clerk of the House to keep their offices open during the Recess of the Legislature for the convenience of the Recess Committees.

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operation of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp products, wooden cabinets and farm implements, or any other manufactured products.

H. M. Caffey,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolutions the titles of which are set out in the foregoing Report from Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Bill, H. 95.

H. 95. To fix the per diem or compensation of members of all recess committees or commissions appointed by joint resolution or act of the two Houses of the Legislature, and the compensation of their employees and to provide for their payment.

J. H. Stewart,
Clerk.

REPORT OF CONFERENCE COMMITTEE

To the Presiding Officer of the Senate,
To the Speaker of the House of Representatives:

The committee of conference of the two Houses, having under consideration House Resolution Number 19, beg to report as follows:

We recommend that the Senate amend said resolution so as to read as follows:

"Be it Resolved by the House, the Senate Concurring, that House Joint Resolution No. 19 be amended so as to read as follows:

There are hereby created the following Recess Committees or Commissions of the Legislature of Alabama, to-wit:

"1. Judiciary, to be composed of four members of the Senate, to be appointed by the President of the Senate, and eight members of the House, to be appointed by the Speaker of the House.

"2. Ways and Means, to be composed of seven members of the Senate, to be appointed by the President of the Senate and ten members of the House, to be appointed by the Speaker of the House.

"3. Education, to be composed of six members of the Senate, to be appointed by the President of the Senate and ten members of the House to be appointed by the Speaker of the House; sessions limited to twenty days.

"4. Agriculture, to be composed of six members of the Senate, to be appointed by the President of the Senate and ten members to be appointed by the Speaker of the House; sessions limited to twenty days.

"5. Resolved, Further, That the president pro-tem of the Senate and the Speaker of the House shall be ex-officio members of said several committees.

Resolved, Further, That the members of the said several committees, shall be paid on the certificate of the Chairman thereof, eight dollars per day and mileage, while actually engaged, except in cases of adjournment exceeding three days; and the said committees shall each have authority to employ, at reasonable compensation, clerks, stenographers or other assistants for such time as may be necessary for the expeditious discharge of

the duties of the Committees; and the said committees shall have power to summon witnesses and call for books and papers; and do and perform such other acts as may be necessary to a full, complete and detailed investigation, study and report on the subjects herein referred to. If in the judgment of any committee it shall be necessary to travel away from the Capitol in making any investigation, then necessary travel expenses shall be paid in addition to the compensation above fixed.

Resolved, Further, That the said committees shall make full reports and recommendations regarding their findings, together with bills which in their judgment are proper to bring about the ends sought by their recommendations.

Resolved, further, That the duties of said committees shall be as follows:

"1. Judiciary: To consider all questions concerning the judicial system of the State, organization of the courts, enforcement of criminal laws, proceedure, and all matters affecting the administration of justice and may sit and confer with a committee of the Alabama State Bar Association, who will not be paid by the State.

"2. Ways and Means: To consider all questions of finance and taxation and the raising of revenue for the State.

"3. Education: To consider the matter of public education in the state of Alabama and the system of laws regarding the same, and particularly, to study the School Code of Alabama.

"4. Agriculture: To consider all matters pertaining to the Agricultural welfare of the State of Alabama.

Resolved, further, That it is the duty of the said several committees to make their several investigations and prepare their reports at a conveniently early date, and in such time that their reports may be on file at the reconvening of the Legislature at its adjourned session.

Resolved, Further, That the foregoing is not intended to include or prejudice the several and separate matters covered by and provided for in H. J. R. 25, S. J. R. 10, 25, 26 and 28 and S. B. 74.

We further recommend that the House concur in said Senate amendment.

W. H. Mitchell,
Jas. A. Hines,
Travis Williams,
Committee on part of Senate.
D. Lee Edmundson,
Hugh D. Merrill,
A. M. Tunstall,
Committee on part of House.

CONFERENCE REPORT

On motion of Mr. Ellis of Dallas, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two Houses on the Senate amendments to the Resolution:

H. J. R. 19. Relative to the creation of certain Recess Committees.

Yeas, 27; Nays, 1.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Stokes
Bradford	Hall	Moore	Teasley
Brown	Holmes	Nixon	Walton
Caffey	Jack	Nolen	Warren
Cowan	Jackson	Oliver	Williams
Craft	Jones	Smith	Young
Edgar	Justice	Stanley	

—27

Nay:—Mr. Ellis of Shelby—1.

On motion of Mr. Williams, the Senate concurred in and adopted the foregoing amendment to said Resolution H. J. R. 19, said Amendment being set out in the foregoing Conference Report.

Yeas, 30; Nays, 1.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stokes
Bradford	Hines	Moore	Teasley
Brown	Holmes	Nixon	Thompson
Caffey	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas	Justice		

—30

Nay:—Mr. Ellis of Shelby—1.

And said Resolution, as thus amended, was again read a third time at length and adopted.

Yeas, 30; Nay, 1.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stokes
Bradford	Hines	Moore	Teasley
Brown	Holmes	Nixon	Thompson
Caffey	Jack	Nolen	Walton
Cowan	Jackson	Oliver	Warren
Craft	James	Smith	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas	Justice		

—30

Nay:—Mr. Ellis of Shelby—1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has adopted the following:

By Rules Committee:

H. J. R. 58. Resolved by the House, the Senate concurring, That the Lieutenant Governor of Alabama, shall be ex-officio a member of the Judiciary Recess Committee and shall receive the same per diem and mileage as other members of said Committee while so serving.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Williams, the rules were suspended and H. J. R. 58 set out in the foregoing Message from the House concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has adopted the following H. J. R.

By Rules Committee:

H. J. R. No. 59. Be it resolved by the House, the Senate concurring, That the Speaker of the House and the President Pro Tem of the Senate, be ex-officio members of all Joint Recess Committees or Commissions created by an Act or Joint Resolution.

And sends same herewith to the Senate for its conisderation.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the rules were suspended and H.J.R. 59 set out in the foregoing message from the House concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Bill:

H. 273. To provide for the codification, revision, digesting and promulgation of the public statutes of Alabama which pertain to Agriculture and Industries, and related subjects, which are administered by, or relate to the duties of the Commissioner

of Agriculture and Industries, the Department of Agriculture and Industries or the State Board of Agriculture.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 25. Relative to the appointment of a Joint Committee to visit the Alabama School of Trades and Industry.

Also:

S. J. R. 26. Relative to the appointment of a Joint Committee to investigate conditions at the Girl's Industrial School located at Birmingham.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 150. To amend subdivision 1 of Section 6755 of the Code of 1923.

Also:

H. 159. To amend subdivision "K" of Section 5 of the Act entitled "An Act to provide for the general revenue of the State of Alabama," approved the 15th day of September, 1919, which subdivision reads as follows: "K" On the gross amount of commissions of sums charged and received during each year by any factor, broker, or commission merchant, auctioneer or dealer in any other kind of property in buying, selling, or for any other act in the course of their business, and for the value of a commission, or by compensation by bale, sack, package, article, or otherwise.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two- thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 32. To submit to the qualified voters of the State of Alabama, at the general election to be held on the first Tuesday after the first Monday of November, 1928, for their consideration, an amendment to the Constitution of the State, fixing the salaries and compensations and allowances to be paid to the judge of probate, the tax assessor and the tax collector, the clerk of the circuit court, the county solicitor and the county treasurer, of Walker County, requiring the said officers to cover the fees collected by them into the county treasury of Walker County and authorizing the disposition of said funds, and empowering the Legislature thereafter to fix and regulate and alter the costs, charges, and fees and salaries of such officers, including the method and basis of their compensation.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to be submitted to the qualified voters of Alabama, for their consideration, as hereafter set forth, viz: Commencing on the first Tuesday after the second Monday in January, 1929, subsequent to the General Election to be held on the first Tuesday after the first Monday of November, 1928, the compensation and allowance of the following named county officers of Walker County shall be as follows: Salary of Judge of Probate of Walker County, $5,000,00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The said $2,400.00 to be paid to the Judge of Probate in monthly instalments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office and $1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said county shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allow-

ances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as 'The Salary Fund;' that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such funds into the treasury of the school funds of Walker County and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in furnishing to the school children of said County free school text books beginning with the pupils enrolled in the first grade and adding grade by grading as rapidly as the funds accruing become adequate up to and including the sixth grade, and to pay incidentals when there is an amount over and above that required for the purchase of text books, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county.

Section 2. That it shall be the duty of the Governor to give notice by proclamation, to be published in one newspaper in each county in the State, at least eight consecutive weeks, next preceding the general election in November, 1928, of the election on the amendment proposed by this act, to be submitted to the qualified voters of the State, for their consideration, together with the proposed amendment.

Section 3. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State upon the proposed amendment. Upon the ballots used at such election, shall be printed the following: "Amendment to the Constitution, fixing the compensation and allowances of the following named county officers of Walker County, "commencing at the beginning of their next term of office subsequent to the General Election in November, 1928, as follows: Salary of Judge of Probate of Walker County, $5,000.00 per year, net; allowance of $7,500.00 per annum for office expenses as follows: One clerk at $2,100.00 per annum; two clerks at $1,500.00 per annum, each; and $2,400.00 per annum for all other expenses, including extra clerks. The

said $2,400.00 to be paid to the Judge of Probate in monthly instalments and disbursed by him. The Tax Assessor of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $2,100.00 per year for a chief clerk in said office; $1,200.00 for an assistant clerk in said office, and $700.00 per year for extra help and other expenses. The Tax Collector of Walker County shall receive a salary of $4,000.00 per year, net; allowance of $1,500.00 per year for his clerk in said office, and $1,000.00 for extra help and other expenses. The Circuit Clerk of Walker County shall receive a salary of $3,600.00 per year, net; allowance of $1,800.00 per year for a chief clerk in said office, and $1,000.00 for extra help and other expenses. The County Solicitor of Walker County shall receive a salary of $2,400.00 per year, net. The County Treasurer of said County shall receive a salary of $2,400.00 per year, net. The above named amounts shall be in lieu of all compensations and allowances to the respective named officers. The above named officers shall collect the fees heretofore collected by them, or allowed by law for such services, and shall cover such fees into the county treasury on the first Monday of each month, to be kept in a separate fund to be designated as "The Salary Fund;" that out of such funds the above named amounts for salaries and allowances for said officers shall be paid as the salaries of other county officers are paid; that the residue or remainder of such fund shall be paid by the County Treasurer or other custodian of such fund into the treasury of the school funds of Walker County, and shall become a part of the school funds of said county and to be used by the Board of Education of Walker County in prolonging the terms of the public schools of said county, so that all of the school children of said county shall receive a benefit therefrom so far as is practicable, until changed or modified by local or general laws. The Board of County Commissioners or other governing body of Walker County shall provide said officers with necessary quarters, books, stationery and other conveniences. The Legislature of Alabama may hereafter, from time to time, by local or general laws, fix, regulate and alter the amount of the above named salaries and allowances, including the method and basis of their compensation, also fix, regulate and alter amount of compensation received by all other county officers of said county." Following the proposed amendment on the ballot shall be printed the word "Yes," and immediately under that shall be printed the word "No," The choice of the elector shall be indicated by the cross-mark by him opposite the word expressing his desire.

Section 4. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon

such proposed amendment, the votes cast thereat shall be convassed, tabulated, and the returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the Governor.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 108. To amend an Act approved September 29, 1923, entitled: "An Act to provide for and regulate further the Banking Department for the State of Alabama to the end of better regulating the examinations and supervisions of banks and banking in this State."

Also:

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State banking laws.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate.

S. 81. Regulating the issuance of injunctions against municipalities of the State.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 273. To provide for the codification, revision, digesting and promulgation of the public statutes of Alabama which pertain to agriculture and industries, and related subjects, which are administered by, or relate to the duties of the Commissioner of Agriculture and Industries, the Department of Agriculture and Industries or the State Board of Agriculture.

H. 95. To fix the per diem or compensation of members of all recess committees or commissions appointed by joint resolution or act of the two houses of the Legislature, and the compensation of their employees and to provide for their payment.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested:

H. J. R. 43. For the purpose of requesting His Excellency, Calvin Coolidge, President of the United States to call an extra session of the Congress of the United States to determine the policy of the Government in the operation of Wilson Dam and the Nitrate Plants in the Muscle Shoals District, State of Alabama.

H. J. R. 35. For the purpose of urging the Senators and members of congress of Alabama to use their best efforts to secure the substitution of cotton for jute, either by tariff levy, or otherwise.

H. J. R. 36. For the purpose of increasing the demand for cotton. All fertilizer manufacturers are requested to use cotton sacks and the Commissioner of Agriculture is urged to send a copy of this resolution to all other fertilizer manufacturers not using cotton sacks, asking them to adopt this policy.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolutions, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

H. 44. To require judges of probate in the several counties of the State of Alabama to furnish the United States Veterans Bureau certified copies of all settlements by guardians of beneficiaries of said Bureau.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jones	Smith	
Bradford	Hall	Justice	Stokes	
Brown	Hines	Loflin	Thompson	
Caffey	Jack	Moore	Williams	
Craft	Jackson	Nixon	Young	
Edgar	James	Nolen		—23

Nays:—None.

The Bill:

H. 47. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Moore	Thompson	
Caffey	Hines	Nixon	Walton	
Craft	Holmes	Nolen	Warren	
Edgar	Jack	Smith	Williams	
Ellis of Dallas	Jones			—26

Nays:—None.

The Bill:

H. 115. To amend Section 952, Code of Alabama 1923.

Was read a third time at length and passed.

Yeas, 21; Nays, 5.

Yeas:
Messrs:

Brown	Hall	James	Stanley
Caffey	Hines	Loflin	Teasley
Cowan	Holmes	Moore	Walker
Craft	Jack	Oliver	Williams
Ellis of Dallas	Jackson	Smith	Young
Fite			

—21

Nays:
Messrs:

Bonner	Jones	Nixon	Thompson
Ellis of Shelby			

—5

RESOLUTION

Mr. Williams offered the following Senate Resolution:

S. J. R. 42. Be it resolved by the Senate, the House concurring,

That when the two bodies, the Senate and House of Representatives, adjourn today, that they adjourn until and to convene again on Tuesday the 7th day of June, 1927 at 2 o'clock P. M.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both Civil and Criminal, and to make an appropriation for the expense of same.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Edmundson:

H. 107. To amend Section 6855 of the Code of Alabama, 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 107 To the Committee on Judiciary.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 81. Regulating the issuance of injunctions against municipalities of the State.

S. 108: To amend an Act approved September 29, 1923, entitled: "An Act to provide for and regulate further the Banking Department for the State of Alabama to the end of better regulating the examinations and supervisions of banks and banking in this State.

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State banking laws.

S. J. R. 25. Relative to appointment of a Joint Committee to visit Alabama School of Trades and Industry.

S. J. R. 26. Relative to the appointment of a Joint Committee to investigate the conditions of the Girl's Industrial School located in Birmingham.

H. M. Caffey,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolutions the titles of which are set out in the foregoing Report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in S. J. R. 42 relative to reconvening of the Legislature after adjournment today.

And returns said resolution herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two

Houses on the Senate amendment to the H. J. R. 19 Relative to the creation of Joint Recess Committees.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested:

H. J. R. 19. Relative to creating recess committees or commissions of the Legislature of Alabama, and providing for their powers and duties and compensation, and for the payment of expenses incurred in the performance of said duties.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolution the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 117. To amend Sections 2948 and 2973 of the Code of Alabama 1923.

Was taken up.

Mr. Stanley offered the following substitute for said bill to-wit:

SUBSTITUTE FOR HOUSE BILL NO. 117

To be entitled An Act to amend Section 3 and 6 of an act entitled an act "To further provide for and regulate the payment of pensions to confederate soldiers and sailors and their widows and to make necessary appropriation therefor. Approved September 6, 1923". Designated as Section 2948 and Section 2973 of the Code of Alabama.

Be it Enacted by the Legislature of Alabama:

1. That Section 3 of an act to provide for and regulate the payment of pensions to confederate soldiers and sailors and their widows and to amend so as to read as follows:

Section 3. That beginning with April quarter, 1927, there shall be paid quarterly to each pensioner in class A, the sum of $90.00 for each quarter; to each pensioner of class One, the sum of $45.00 for each quarter; to each pensioner of class Two. the sum of $30.00 for each quarter; to each pensioner of class Three, the sum of $22.50 for each quarter.

That beginning with October Quarter, 1927, there shal be paid quarterly to each pension in class A the sum of $100.00 for each quarter; to each pensioner in class One, the sum of $55.00 for each quarter; to each pensioner of class Two, the sum of $35.00 for each quarter; to each pensioner in class three, the sum of $25.00 per quarter.

That beginning with the April quarter 1928, there shall be paid quarterly to each pensioner in class A the sum of $110.00 for each quarter; to each pensioner in class One, $65.00 for each quarter; to each pensioner of class Two $40.00 for each quarter; to each pensioner of class Three, $27.50 for each quarter.

That beginning with the October quarter 1928 there shall be paid quarterly to each pensioner in class A the sum of $120 00 for each quarter; to each pensioner of class One the sum of $75.00 for each quarter; to each pensioner in class Two $45.00 for each quarter; to each pensioner in class Three the sum of $30.00 for each quarter.

That beginning with the January quarter 1929 and thereafter there shall be paid quarterly to each pensioner in class A the sum of $150.00 for each quarter and the pensioners in classes One, Two and Three shall continue to receive the same quarterly pensions as above provided.

That soldiers and sailors who are entitled to benefits of this article who are now on the pension roll or who may hereafter be placed on the pension rolls of this State, shall constitute class A and shall receive the amounts provided under this act. All widows of confederate soldiers or sailors now on pension rolls or who may hereafter be placed on the pension rolls under the existing laws of this State, shall be divided into three classes, as follows: Widows of the age of eighty years and over, or who are totally blind shall constitute class One, widows who are between seventy years of age and eighty years of age shall constitute class Two, widows under seventy years of age shall constitute class Three and they shall receive pensions according to their class, as provided under this act.

All of said pensions shall be paid quarterly on the first days of October. January, April and July of each year.

2. That Section 6 of an act to provide for and regulate the amount of pensions to confederate soldiers and sailors and their widows and to make necessary appropriations therefor, Approved September 6, 1923, be amended so as to read as follows:

Section 6. There is hereby continuously appropriated from the general funds of the State a sufficient sum which, in conjunction with the moneys derived from the one mill pension fund, shall in total amount not exceed the sum of $1,750,000.00 per annum, or so much thereof as may be necessary to carry out the provisions of this act, provided that if said amount is not sufficient, at any time, to pay the pension herein provided, any moneys to the credit of the pension fund may be used to supply any deficiency to pay said pensions in full.

3. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Mr. Bonner moved that said substitute be laid upon the table, which motion was lost.

Yeas, 13; Nays, 21.

Yeas:				
Messrs:				
Bonner	Fite	Justice	Stokes	
Carlton	Holmes	Nixon	Thompson	
Edgar	Jackson	Nolen	Walton	
Ellis of Shelby				—13
Nays:				
Messrs:				
Bradford	Hall	Loflin	Teasley	
Brown	Hines	Moore	Walker	
Caffey	Jack	Oliver	Warren	
Cowan	James	Smith	Williams	
Craft	Jones	Stanley	Young	
Ellis of Dallas				—21

And the Substitute offered by Mr. Stanley was then adopted.

Yeas, 27; Nays, 7.

Yeas:				
Messrs:				
Bonner	Edgar	Jones	Thompson	
Bradford	Ellis of Dallas	Loflin	Walker	
Brown	Hall	Moore	Walton	
Caffey	Hines	Oliver	Warren	
Carlton	Holmes	Smith	Williams	
Cowan	Jack	Stanley	Young	
Craft	James	Teasley		—27
Nays:				
Messrs:				
Ellis of Shelby	Jackson	Nixon	Stokes	
Fite	Justice	Nolen		—7

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Teasley
Bradford	Fite	Moore	Thompson
Brown	Hall	Nixon	Walker
Caffey	Hines	Nolen	Walton
Cowan	Holmes	Smith	Warren
Craft	Jack	Stanley	Williams
Edgar	James	Stokes	Young
Ellis of Dallas	Jones		

—30

Nays:—None.

RECESS

At 1:30 P. M., on motion of Mr. Jack, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION

Eighteenth Day, Friday, February 18, 1927.

The Senate re-assembled at 3 P. M., Lieutenant-Governor Davis Presiding.

ROLL CALL

Present:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

INTRODUCTION OF BILLS

Upon a call of districts bill was introduced, read one time and referred to appropriate standing committee, as follows:
By Mr. Young:

S. 165. To regulate the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels and provide for a legal standard and for inspection of such products.

Agriculture.

REPORTS OF COMMITTEES

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Monk: (With Substitute.) (With N. & P.)

H. 239. To provide for the election of a county superintendent of education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for a special election to be held to elect such county superintendent under this Act and to provide for the election of his successor in office.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bill with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both Civil and Criminal, and to make an appropriation for the expense of same.

H. M. Caffey,
Chairman.

SIGNING OF BILL

The president of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing Report from Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

H. 185. To fix the ex-officio fees of the sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than seventy-five thousand people according to the last Federal census or any such census which may hereafter be taken, and to regulate the payment of same.

Was taken up.

Mr. Young offered the following Amendment to said bill to-wit:

Amend the Caption of the Bill so as to make the same read as follows:

"To fix the Ex-officio fees of the Sheriffs in counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than fifty four thousand people according to the last Federal census or any such census which may hereafter be taken, and to regulate the payment of same."

Amend Section 1 of the Bill by striking out the words "seventy five thousand" wherever they occur therein and inserting in lieu thereof the words "fifty four thousand."

Which was adopted.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

The Bill:

H. 151. To fix the salary of the deputy solicitor of Macon County at twelve hundred dollars per annum, payable in monthly installments of one hundred dollars, and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Moore	Thompson	
Caffey	Hines	Nixon	Walker	
Carlton	Holmes	Nolen	Walton	
Cowan	Jack	Oliver	Warren	
Craft	Jackson	Smith	Williams	
Edgar	James	Stanley	Young	
Ellis of Dallas	Jones			—34

Nays—None.

The Bill:

H. 301. To repeal an act to abrogate to and abolish the jurisdicition of Justices of the Peace and Notaries public with powers of Justices of the Peace in Morgan County, Alabama; of all criminal causes except as committing magistrates in felony cases.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Moore	Thompson	
Caffey	Hines	Nixon	Walker	
Carlton	Holmes	Nolen	Walton	
Cowan	Jack	Oliver	Warren	
Craft	Jackson	Smith	Williams	
Edgar	James	Stanley	Young	
Ellis of Dallas	Jones			—34

Nays:—None.

The Bill:

H. 284. To authorize the sheriff of Walker County Alabama to appoint two special and general deputies, fix their tenure of office, prescribe their duties, fix their compensation and to authorize and require the Court of County Commissioners to pay the same by warrants drawn on the treasurer and paid out of the general funds of said County, and to require said deputies to give bonds in the sum of $2000.00 payable to said sheriff with conditions as required by Section 2595 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		—34

Nays:—None.

The Bill:

H. 293. To provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this act.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		—34

Nays:—None.

The Bill:

H. 103. To validate the proceedings of the Court of County Commissioners of Escambia County, Alabama, made and entered since February 1, 1923, so far as the same relate to all loans made to said County, and to validate and confirm all outstanding county warrants and refunding warrants for money borrowed for County purposes.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		—34

Nays:—None.

The Bill:

H. 203. To fix and provide for the payment out of the county treasury the salary for the deputy solicitor for Clarke County, Alabama, and to repeal all laws and parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		—34

Nays:—None.

The Bill:

H. 302. To further provide for the construction and maintenance of public roads and bridges for Morgan County, Alabama by fixing the age limits of those subject to road duty as twenty-one to fifty both inclusive; by providing regulations and penalties to carry the provisions of this act into effect; by prescribing the methods of warning road hands and method of receipting those who pay in lieu of working; by providing for overseers and fixing their duties and powers; by making it the duty of the respective members of the Board of Revenue jointly with their duly authorized overseers to prosecute all violators of road laws in Morgan County.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

The Bill:

H. 289. To repeal an Act "To establish in precinct 9 in Covington County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said precinct, to be known as the Inferior Court of Florala, to define the jurisdiction and powers of said court and judge thereof," Approved August 22, 1923.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

The Bill:

H. 296. To fix and regulate the fees of witnesses in criminal cases and in the county court and circuit court of Lauderdale County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs.:

Bonner	Caffey	Craft	Ellis of Shelby
Bradford	Carlton	Edgar	Fite
Brown	Cowan	Ellis of Dallas	Hall

Hines	Justice	Smith	Walker	
Holmes	Loflin	Stanley	Walton	
Jack	Moore	Stokes	Warren	
Jackson	Nixon	Teasley	Williams	
James	Nolen	Thompson	Young	
Jones	Oliver			—34

Nays:—None.

The Bill:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Justice	Stokes	
Bradford	Fite	Loflin	Teasley	
Brown	Hall	Moore	Thompson	
Caffey	Hines	Nixon	Walker	
Carlton	Holmes	Nolen	Walton	
Cowan	Jack	Oliver	Warren	
Craft	Jackson	Smith	Williams	
Edgar	James	Stanley	Young	
Ellis of Dallas	Jones			—34

Nays:—None.

The Bill:

H. 68. For the relief of E. Finke and to appropriate for said E. Finke the sum of one hundred dollars for money paid by him for the use of the State for a license for the year 1925-26 for the operation of a poolroom in Cullman, Alabama.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stanley	
Bradford	Hall	Justice	Stokes	
Brown	Hines	Loflin	Thompson	
Caffey	Holmes	Moore	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver		—23

Nays:—None.

The Bill:

H. 19. To amend Section 8605 of the 1923 Code of Alabama.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Smith
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Fite	Loflin	Thompson
Caffey	Hall	Nolen	Walker
Cowan	Holmes	Oliver	Warren
Edgar	Jack		

—23

Nays:—None.

The Bill:

H. 206. To regulate the expenditure of the proceeds from the excise tax and other motor fuels, as enacted in 1923, upon the public roads and bridges in an equitable manner in all counties of this State having a population of 23,000 and not over 23,100 people, according to the last Federal census.

Was read a third time at length and passed.

Yeas, 34; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walker
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Smith	Williams
Edgar	James	Stanley	Young
Ellis of Dallas	Jones		

—34

Nays:—None.

RESOLUTION

The Rules Committee reported the following Senate Resolution:

S. J. R. 43. Resolved by the Senate, That there is hereby created a Recess Committee from the Senate to be known as Recess Committee on Public Roads and Highways to consist of 6 members to be appointed by the Presiding officer of the Senate.

Be it further resolved by the Senate, the House concurring, that the Public Roads and Highways Recess Committee of the Senate is hereby directed and requested to sit with the Recess Committee of the House on public Roads and Highways and that their findings and recommendations to the Legislature when it reconvenes in June, 1927.

Mr. Walker offered the following amendment to said resolution, to-wit:

It shall be the duty of this Committee, acting in conjunction with the House Committee, to investigate the price of gasoline

sold in Alabama and as compared with the price of gasoline in other states, and make report to the Legislature of its findings with recommendations.

Which was adopted.

And said resolution, as thus amended, was then adopted.

Yeas, 20; Nays, 11.

Yeas:				
Messrs.:				
Brown	Fite	Jones	Stanley	
Caffey	Holmes	Justice	Teasley	
Carlton	Jack	Loflin	Thompson	
Craft	Jackson	Moore	Walker	
Edgar	James	Smith	Walton	
				—20
Nays:				
Messrs:				
Bonner	Hall	Oliver	Williams	
Carlton	Nixon	Stokes	Young	
Ellis of Shelby	Nolen	Warren		—11

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 162. To require all State and County Officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the Treasurer or such other corresponding officer in their respective counties showing moneys received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent Federal census, and to provide penalties for failure to file such reports and for filing false reports.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 117. To amend sections 3 and 6 of an act entitled An Act "To further provide for and regulate the payment of pensions to confederate soldiers and sailors and their widows and to make necessary appropriations therefor. Approved September 6,

1923." Designated as Section 2948 and Section 2973 of the Code of Alabama.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House in accordance with S. B. 74 and Senate and House Joint resolutions heretofore adopted has appointed the following members of the House as members of the Joint recess committees provided in said Senate Bill and Senate and House Joint Resolutions.

JOINT RECESS COMMITTEE ON JUDICIARY

Simpson	Winn	Ware	Starnes
Sanderson	Luck	Harwood	Vickers

JOINT RECESS COMMITTEE ON WAYS AND MEANS

Tunstall	St. John	Miller (Marengo)	Graves
Deloney	Edmundson	Norman	Shepherd
Merrill	Goodwyn		

JOINT RECESS COMMITTEE ON AGRICULTURE

Goode	Kirkpatrick	Ringer	Burns
Allen	Golson	Hampton	Sanders (Pike)
Parish	Shivers		

JOINT RECESS COMMITTEE ON EDUCATION

Ward (Tuscaloosa)	Ward (Geneva)	Thompson	Fite
Edwards	Molette	Hughes	Cook
Baldwin	Adcock		

JOINT RECESS COMMITTEE ON SCHOOL TEXT BOOKS

Lovelace	Jones (Cleburne)	Cockrell

JOINT RECESS COMMITTEE ON BOND LAWS

Lee	Denson	Hawkins

JOINT RECESS COMMITTEE TO INVESTIGATE AFFAIRS OF JEFFERSON COUNTY, ALABAMA

Ward (Geneva)	Guy	Martin

JOINT RECESS COMMITTEE ON MUSCLE SHOALS

Waddell	Tompkins	Ashcraft

JOINT RECESS COMMITTEE TO VISIT ALABAMA SCHOOL OF TRADES AND INDUSTRY.

Rankin Pegues Bryant

JOINT RECESS COMMITTEE TO INVESTIGATE GIRL'S INDUSTRIAL SCHOOL UNDER S. J. R. 26.

Jones (Bullock) Monk Webb

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 44. To require judges of probate in the several counties of the State of Alabama to furnish the United States Veterans Bureau certified copies of all settlements by guardians of beneficiaries of said Bureau.

Also:

H. 47. To amend Sections 1545 and 1547 of the Code of Alabama of 1923.

Also:

H. 115. To amend Section 952, Code of Alabama 1923.

Also:

H. J. R. 59. Making the Speaker of the House and President Pro Tem of the Senate ex-officio members of all joint recess committees or commissions.

Also:

H. J. R. 58: Making the Lieutenant Governor of Alabama ex-officio member of the Judiciary Recess Committee and providing for per diem and mileage.

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolutions the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 185. To fix the Ex Officio fees of the Sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than seventy five thousand people according to the last Federal Census or any such census which may hereafter be taken, and to regulate the payment of same.

APPOINTMENT OF RECESS COMMITTEES

The President and Presiding Officer of the Senate announced the folowing appointments on the Recess Committees heretofore created by Bill and Joint Resolutions to-wit:

JUDICIARY

Williams	Bonner	Ellis of Shelby	Young

WAYS AND MEANS

Ellis of Dallas	Mitchell	Fite	Jack
Teasley	Craft	Hines	

EDUCATION

Oliver	Nolen	Loflin	Thompson
Cowan	Warren		

AGRICULTURE

Hall	Stanley	Justice	Nixon
Caffey	Holmes		

MUSCLE SHOALS COMMISSION

Jones	James

TO INVESTIGATE BOND LAWS

Stokes	Moore

TO INVESTIGATE SCHOOL TEXT BOOKS

Walker	Carlton

TO INVESTIGATE JEFFERSON COUNTY.

Jackson	Bradford

TO INVESTIGATE GIRLS INDUSTRIAL SCHOOL OF ALABAMA

Edgar	Walton

TO INVESTIGATE THE ALABAMA SCHOOL OF TRADES AND INDUSTRY.

Walton Edgar

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, The Governor, with his objections and proposed amendment to the bill:

H. 224. To amend Section 12, 16 and 21, and repeal Section 23, and add Section 13½ to, an Act entitled an Act: "To establish an Inferior Court to be known as the Inferior Court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1500 or more according to the last federal census; to define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To the Legislature of Alabama,

Gentlemen of the House:

I return, herewith, House Bill No. 224, a local bill, without my approval but suggest that if the following executive amendments are adopted the bill will meet with my approval. I therefore suggest the following executive amendments:

1st. Amend the title by striking therefrom, in line one of the enrolled bill, the number "16."

2nd. By striking from the title, in line two of the bill as enrolled, the words, "and add Section 13½ to."

3rd. By striking from line twenty-four of the bill as enrolled the following words, "and that Section 13½ as hereinafter set forth be added thereto."

The amendments are suggested in order to render the bill intelligible and are in accordance with the amendments passed by the House and Senate which overlooked striking out the words and figures to which attention has been called above. With these amendments the bill will be entire and correct.

Respectfully,
Bibb Graves, Governor

And the House has concurred in and adopted the amendment proposed by His Excellency, The Governor, by a vote of a majority of the whole number elected to the House said vote being Yeas 76; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time at length and passed by a vote of a majority of the whole number elected to the House said vote being Yeas, 76; Nays, 0.

And said bill together with the Governor's Message containing the proposed amendment is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Ellis of Dallas, the Senate concurred in and adopted the Amendment proposed by His Excellency, The Governor to H. 224, the title of which and said Governor's Amendment is set out in the foregoing Message from the House.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Jackson	Smith	
Brown	Fite	James	Stanley	
Caffey	Hall	Jones	Teasley	
Carlton	Hines	Justice	Thompson	
Cowan	Holmes	Loflin	Walker	
Craft	Jack			—22

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. 224, as thus amended, was again read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:
Messrs.:

Brown	Hall	James	Stanley	
Caffey	Hines	Justice	Teasley	
Cowan	Holmes	Loflin	Thompson	
Craft	Jack	Oliver	Walker	
Ellis of Dallas	Jackson	Smith		—19

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the S. J. R. 43 providing for recess Committee on Public Roads and Highways and returns said resolution herewith to the Senate.

J. H. Stewart,
Clerk.

COMMITTEE APPOINTMENT

Pursuant to S. J. R. 43, heretofore adopted, the President of the Senate appointed as members of said Committee Messrs. Craft, Jones, Nixon, Justice, Cowan and Edgar.

RESOLUTION

Mr. Fite offered the following Joint Resolution:

S. J. R. 44, Resolved by the Senate, the House concurring, that the President of the Senate and Speaker of the House appoint a Committee of five, three from the House and two from the Senate, to invite Will Rogers to address the two Houses informally to-night after his lecture at the Municipal Auditorium.

Which was, under a suspension of the rules, adopted.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 29. Relative to a survey of the oyster-bearing waters in Baldwin County, Alabama, similar to what has been done in Mobile County, Alabama.

And on motion of Mr. Brown, the report was concurred in, and said resolution concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereo is requested:

H. 289. To repeal an Act "To establish in precinct 9 in Covington County, Alabama, an Inferior Court in lieu of all Justices of the Peace and Notaries Public with the powers of a Justice of the Peace in the said precinct, to be known as the Inferior Court of Florala, to define the jurisdiction and powers of said court and judge thereof," approved August 22, 1923.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing Message from the House.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled Resolution with the engrossed and original Resolution respectively, and find same correctly enrolled, to-wit:

S. J. R. 43—Creating a Joint Recess Committee of the Senate on Public Roads and Highways.

H. M. Caffey,
Chairman.

SIGNING OF RESOLUTION

The President of the Senate in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolution, the title of which is set out in the foregoing Report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 44. Relative to appointment of a Joint Committee to invite Will Rogers to address the two Houses tonight.

And the Speaker has named as Committee on part of the House: Messrs. Goode, Fite and Reeder.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

APPOINTMENT OF COMMITTEE

Pursuant to the foregoing Resolution, the President of the Senate appointed as Committee on part of the Senate Messrs. Fite and Bonner.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 117. To amend section 3 and 6 of an act entitled an act "to further provide for and regulate the payment of pensions to Confederate Soldiers and Sailors and their widows and to make necessary appropriation therefor. Approved September 6th, 1923." designated as Section 2948 and Section 2973 of the Code of Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

RECESS

At 5:50 P. M., on motion of Mr. Ellis of Dallas, the Senate took a recess until 10:30 tonight.

NIGHT SESSION

Eighteenth Day, February 18, 1927.

The Senate re-assembled at 10:30 P. M., Lieutenant-Governor Davis Presiding.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Smith	Young
Ellis of Dallas	Jones	Stanley	

A quorum of the Senate.

MESSAGE FROM THE GOVERNOR

To the Presiding Officer of the Senate:

Under authority of the Act, S. B. 74, creating "The Muscle Shoals Commission" I have appointed Hon. L. B. Musgrove of Jasper, Alabama and the Hon. W. E. Fort of Birmingham, Alabama, as members of said Commission.

Respectfully submitted,
Bibb Graves,
Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate.

By Mr. Tunstall:

H. J. R. 61. Resolved by the House, the Senate concurring, that a Joint Committee consisting of three members from the House to be appointed by the Speaker of the House, and two from the Senate to be appointed by the President of the Senate, be appointed to wait upon the Governor to ascertain if he has any further business or communications for the Legislature.

And the Speaker of the House named as Committee on part of the House Messrs. Tunstall, Poole and McAdory.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the Seante concurred in and adopted, H. J. R. 61, set out in the foregoing message from the House, and the President of the Senate appointed as a committee on part of the Senate, Messrs. Brown and Cowan.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 103. To validate the proceedings of the court of county commissioners of Escambia County, Alabama, made and entered since February 1, 1923, so far as the same relate to all loans made to said county, and to validate and confirm all outstanding county warrants and refunding warrants for money borrowed for county purposes.

Also:

H. 203. To fix and provide for the payment out of the county treasury the salary for the deputy solicitor for Clarke County, Alabama, and to repeal all laws and parts of laws in conflict herewith.

Also:

H. 302. To further provide for the construction and maintenance of public roads and bridges for Morgan County, Alabama by fixing the age limits of those subject to road duty as twenty-one to fifty both inclusive; by providing regulations and penalties to carry the provisions of this act into effect; by prescribing the methods of warning road hands and method of receipting those who pay in lieu of working; by providing for overseers and fixing their duties and powers; by making it the duty of the respective members of the Board of Revenue jointly with their duly authorized overseers to prosecute all violators of road laws in Morgan County.

Also:

H. 206. To regulate the expenditure of the proceeds from the excise tax and other motor fuels, as enacted in 1923, upon the public roads and bridges in an equitable manner in all counties of this State having a population of 23,000 and not over 23,100 people according to the last Federal census.

Also:

H. 296. To fix and regulate the fees of witnesses in criminal cases and in the county court and circuit court of Lauderdale County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Also:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Also:

H. 68. For the relief of E. Finke and to appropriate for said E. Finke the sum of one hundred dollars for money paid by him for the use of the State for a license for the year 1925-26 for the operation of a poolroom in Cullman, Alabama.

Also:

H. 284. To authorize the sheriff of Walker County Alabama to appoint two special and general deputies, fix their tenure of office, prescribe their duties, fix their compensation and to authorize and require the Court of County Commissioners to pay the same by warrants drawn on the treasurer and paid out of the general funds of said County, and to require said deputies to give bonds in the sum of $2,000.00 payable to said sheriff with conditions as required by Section 2595 of the Code of Alabama, 1923.

Also:

H. 301. To repeal an act to abrogate to and abolish the jurisdiction of Justices of the Peace and Notaries public with powers of Justices of the Peace in Morgan County, Alabama; of all

criminal causes except as committing magistrates in felony cases.

Also:

H. 151. To fix the salary of the deputy solicitor of Macon County at twelve hundred dollars per annum, payable in monthly installments of one hundred dollars, and to provide for the payment thereof.

Also:

H. 293. To provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax, to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this act.

Also:

H. 185. To fix the ex-officio fees of the sheriffs in all counties in this State which now have or which may hereafter have a population of fifty thousand people, and less than fifty-four thousand people according to the last Federal census or any such census which may hereafter be taken, and to regulate the payment of same.

Also:

H. 19. To amend Section 8605 of the 1923 Code of Alabama.

Also:

H. 162. To require all State and county officers who are not on a salary exclusively, but who receive fees or part fees for their services and compensation, to file monthly itemized statements under oath with the treasurer or such other corresponding officer in their respective counties showing moneys received and expended by said officers in their respective offices and departments, in all counties of the State of Alabama having a population of not less than ninety thousand and not exceeding three hundred thousand according to the last or any subsequent Federal census, and to provide penalties for failure to file such reports and for filing false reports.

Also:

H. 224. To amend Sections 12, 16 and 21, and repeal Section 23, and add Section 13½, to an Act entitled An Act: "To establish an inferior court to be known as the inferior court of Athens, Alabama, in lieu of all justices of the peace and notaries public with power of justice of the peace in Athens Precinct No. 1, which lies within or partly within Athens, the county seat of Limestone County, Alabama, said county seat having a population of 1,500 or more according to the last Federal census; to

define the jurisdiction of powers of said court and the judges and officers of said court and the manner of their appointment or election and the payment of their salaries; and to define the jurisdiction and powers of said court and the judge thereof, approved October 6, 1920.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested:

By Mr. Beebe:

H. J. R. 29. House Joint Concurrent Resolution to make a survey of the oyster bearing waters in Baldwin County, Alabama, similar to what has been done in Mobile County, Alabama, in the Bay of Mobile, supplementing and completing the work that has already been accomplished as well as in Mississippi Sound.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama:

Gentlemen,

I congratulate you upon having done, within less than two months, more to conserve and develope the human resources of Alabama than has heretofore been done in our time. With all my heart I thank you and pray that God will continue to bless us and make us a blessing, and help us to "Keep on keeping on" until our task is done.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency the Governor was read and ordered spread upon the Journal.

REPORT OF SECRETARY

To the Senate:

Pursuant to the requirements of Joint Rule 5, I respectfully report the following Senate Bills and Senate Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. 28. To amend Section 1530 of the Code of Alabama of 1923.

Delivered to the Governor Jan. 4, 1927 at 10:40 A. M.

S. 34. To amend Section 6277 of the Code of Alabama of 1923.

Delivered to the Governor Jany. 27, 1927 at 11:25 A. M.

S. 13. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Deaf located at Talladega, Alabama.

Also:

S. 14. To provide an appropriation for the construction and repair of buildings and the equipment of the Alabama School for the Blind located at Talladega, Alabama.

Delivered to the Governor Feb. 3, 1927 at 11:20 A. M.

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Also:

S. 88. To alter or rearrange the boundary line of the Town of Inglenook, Jefferson County, Alabama, so as to exclude from the Said Town of Inglenook certain territory described herein and now included within the corporate limits of said Town of Inglenook.

Also:

S. 87. To alter or rearrange the boundary line of the Town of Tarrant City, Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory described herein.

Also:

S. 101. To provide for the appointment of deputy registers and deputy clerks for circuit courts in all judicial circuits in the State having more than two and less than five circuit judges; to prescribe the duties and fix the compensation and salary of such deputies.

Delivered to the Governor Feb. 8, 1927 at 3:05 P. M.

S. 49. To further prescribe the duties and fix the salary of the Court Reporter of the Sixth Judicial Circuit of Alabama, and to provide for the payment of same.

Also:

S. 29. To define who are agents of insurance companies; to provide for the licensing, supervision and regulation of such insurance agents; and to provide penalties for violation of laws and regulations governing insurance agents.

Also:

S. 55. To provide for the appointment of an additional assistant solicitor to be known as the second assistant solicitor for each judicial circuit in the State, now or hereafter composed of one county having more than two Circuit Judges and less than nine Circuit Judges; to fix the term of said office, to prescribe the duties and authority of said additional assistant solicitor to be known as the second assistant solicitor and to fix his compensation.

Also:

S. 72. For the protection of persons furnishing materials, food stuffs, supplies and labor for the construction of public works, and for other purposes.

Also:

S. 74. To create a commission to be known as The Alabama Muscle Shoals Commission, to provide its appointment, to define its duties and powers and to make an appropriation for its expenses.

Also:

S. 99. To amend Section 1053 of the Code of Alabama 1923.

Delivered to the Governor Feb. 10, 1927 at 11:50 A. M.

S. J. R. 28. Relative to the creation of a Joint Recess Committee to investigate the bond laws of the State.

Delivered to the Governor Feb. 4, 1927 at 11:25 A. M.

S. 80. To amend Section 2051 of the Code of Alabama of 1923.

Also:

S. 25. To amend Section 2975 of the Code of Alabama of 1923.

Also:

S. 26. To amend Section 2981 of the Code of Alabama of 1923.

Delivered to the Governor Feb. 10, 1927 at 3:45 P. M.

S. 132. To provide for the building of a court house and jail for Jefferson County, Alabama, in the City of Birmingham, and to establish for the consummation of that purpose a Court House Commission: and to authorize said Commission to build a court house and jail for said County, to sell and convey certain court house properties now owned by the County, to acquire, if deemed

necessary, a site for said constructions, or either of them; to designate the funds from which the cost and expense of said construction shall be paid; and to prescribe the powers and duties of the said commission and the powers and duties of the Board of Revenue and Treasurer of said County incident to the construction of said court house and jail.

Delivered to the Governor Feb. 11, 1927 at 11:50 A. M.

S. 4. To provide for the election of a County Superintendent of Education for Cullman and Winston Counties, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officers.

Re-delivered to the Governor Feb. 11, 1927 at 11:50 A. M.

S. 120. To provide for the designation, nomination and election by number of judges in judicial circuits now or hereafter composed of one county having more than two judges and less than nine judges.

Also:

S. 105. To authorize leaves of absence of employees of the State on full pay, who are members of the American Legion, and members of the American Legion Auxiliary, for the purpose of attending the National Legion Convention in Paris.

Also:

S. 68. To amend Section 4039 of the Code of 1923.

Also:

S. 129. To fix the salary of the deputy solicitor of Baldwin County, Alabama.

A'so:

S. 125. To authorize and empower any political party hereafter holding a primary election under the primary election laws of Alabama for the nomination of its candidate for circuit judge to sit as of course in that branch or division of the circuit court which is now held or may hereafter be held at a place other than at the county site for the trial of cases arising within a designated portion of such county in circuits composed of only one county for which more than three judges are provided, to nominate its candidate for judge to sit as of course in such branch or division of such court exclusively by the vote of the qualified electors participating in such primary within such designated portion of such county where the cases arising therein are tried in such branch or division of such court.

Also:

S. 134. For the relief of James C. Williams.

Delivered to the Governor Feby. 15, 1927, at 2:15 P. M.

S. J. R. 10: Relative to a Joint Recess Committee of the two Houses to investigate the School Textbooks of the State.

Also:

S. J. R. 38: Relative to additional time allowed the Secretary of the Senate and Clerk of the House in which to check and compare the Journals of the two Houses, and requiring such Secretary of the Senate and Clerk of the House to keep their offices open during the Recess of the Legislature for the convenience of the Recess Committees.

Also:

S. 149. To authorize counties and municipalities to remit certain taxes for the purpose of encouraging the building, extending and operating of factories for the spinning of thread and yarns, and the knitting and weaving of cloth and other fabrics of cotton and wool in this State, and plants for the purpose of building ships and factories for the manufacture of bags, wood pulp products, wooden cabinets and farm implements, or any other manufactured products.

S. 16. To further regulate the working of convicts in Alabama, and provide penalties for violations of such regulations.

S. 100. To further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith.

Delivered to the Governor Feby. 18, 1927 at 10:35 A. M.

S. 108. To amend an Act approved September 29, 1923, entitled: "An Act to provide for and regulate further the Banking Department for the State of Alabama to the end of better regulaing the examinations and supervisions of banks and banking in this State.

Also:

S. 109. To amend Sections 6279, 6280, 6281 and 6300 of the Code of Alabama, relating to State banking laws.

Also:

S. J. R. 25. Relative to creating a Joint Recess Committee to investigate The Alabama School of Trades and Industry at Gadsden, Alabama.

Also:

S. J. R. 26: Relative to creating a Joint Recess Committee to investigate the Girl's Industrial School of Alabama, and other institutions of like kind and character.

Also:

S. 81: Regulating the issuance of injunctions against Municipalities of the State.

Delivered to the Governor Feby. 18, 1927 at 1 P. M.

S. 38. To provide for the revision, codification, and promulgation of the game and fish laws of this State, both civil and criminal, and to make an appropriation for the expense of same.

Delivered to the Governor Feby. 18, 1927 at 3:25 P. M.

S. J. R. 43: Relative to creating a Recess Committee of the Senate to be known as the Recess Committee on Public Roads and Highways, to consist of 6 members.

Delivered to the Governor Feby. 18, 1927, at 5:50 P. M.

SECRETARY'S REPORT

The foregoing Report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Eighteenth legislative day, and finds the same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Eighteenth legislative day was approved by the Senate.

ADJOURNMENT

At 11:50 P. M., on motion of Mr. Nixon, the Senate adjourned until June 7, 1927, at 2 P. M.

NINETEENTH DAY

Tuesday, June 7, 1927.

The Senate met pursuant to adjournment, Lieutent Governor Davis presiding.

PRAYER

By Rev. Jenkins, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs.:

Bonner	Carlton	Ellis of Dallas	Hines
Bradford	Cowan	Ellis of Shelby	Holmes
Brown	Craft	Fite	Jack
Caffey	Edgar	Hall	Jackson

James	Moore	Stanley	Walker
Jones	Nixon	Stokes	Walton
Justice	Nolen	Teasley	Warren
Loflin	Oliver	Thompson	Williams

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JOURNAL

On motion of Mr. Fite, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James (With N. & P.)

S. 166. To allow the Sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature in substance as follows:

An Act entitled An Act To allow the Sheriff of Winston county an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville.

Be It Enacted By the Legislature of Alabama:

Section 1.—That the sheriff of Winston county is hereby allowed an additional deputy to the one now provided by law, which said deputy shall be located at Haleyville, and shall receive a salary of $1200.00 per annum to be paid in twelve equal monthly installments out of the general fund of said Winston county, and shall be eligible to perform duties anywhere in said county.

Section 2.—On the first day of each month, a statement of the name and amount due the deputy shall be furnished the Commissioners court of said county by the sheriff, and it shall be the duty of said court to order a warrant drawn upon the general funds of the county for the amount of the month's salary.

Section 3.—Be it further enacted that all laws and parts of laws in conflict herewith are hereby repealed, and this act shall be of force and effect from and after its passage.

STATE OF ALABAMA,
Winston County.

Before me, Z. McVay, a Notary Public, in and for said County and State this day personally appeared Geo. W. Adkins, who being first duly sworn deposes and says as follows:

That he is the publisher, manager and owner of the Winston Herald, a weekly newspaper published at Double Springs, in Winston County, Alabama; that the notice, a copy of which is hereto attached, was inserted, published and appeared regularly in the said Winston Herald, in said County of Winston, in Alabama, once a week for five consecutive weeks, on to-wit: February 4th, 11th, 18th and 25th, and March 4th, 1927, in said newspaper, without cost to the State, prior to this the 22nd day of April, 1927.

Geo. W. Adkins.
Publisher, Manager and Owner of the Winston Herald.

Sworn to and subscribed before me, this the 22nd day of April, 1927.
Z. McVay,
(Seal) Notary Public.

By Mr. Brown:

S. 167. To regulate the practice of the profession of traffic expert by creating a state board of traffic examiners, fixing its fees and emoluments; to prohibit the unlawful use of the words, letters or other means of identification by unauthorized persons as certified traffic experts under this act, and to provide penalties for the violation of its provisions.

Public Roads and Highways.

By Mr. Fite:

S. 168. To provide for and establish in each and all counties of this state which now have a population of two hundred thousand people, or more, according to the last Federal Census, or which shall hereafter have such population, or more, according to any such census hereafter taken, a Court to be desiganted the Juvenile and Domestic relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction, and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said courts to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other Courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and of all wards and probationers of such domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and

to abolish all Domestic Relations Courts and Courts of Domestic Relations in such counties.

Revision of Laws.

By Mr. Fite:

S. 169. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this Act, or rules of said Commission.

Revision of Laws.

By Mr. Warren:

S. 170. To authorize and regulate the practice of chiropractic; create, authorize appointment and fix compensation, duties, jurisdiction, powers and terms of office of a Board of Chiropractic Examiners; prescribe rules governing and regulating board meetings, and proceedings, examination of applicants for, and issuance, renewal, revocation and limiting effect of certificates of qualification, and the issuance and revocation of licenses to practice chiropractic; fix fees for examining applicants for certificates of qualification and make disposition of funds arising therefrom; authorize summoning, administration of oaths to, and requiring attendance of witnesses; authorize and regulate proceedings against, and trials of chiropractors by, and rendition of, and appeals from judgments of the board, granting, renewing, revoking, or refusing to grant, renew or revoke certificates of qualification to practice chiropractic; prescribe rules and grounds for granting, refusing to grant; revoking and renewing such certificates; fix amounts and provide for payment and collection by suit of costs of proceedings in, and trials of chiropractors; prescribe for, and fix amounts to be paid for licenses to practice chiropractic; provide for recording certificates of qualification and licenses, and fix fees to be paid therefor; prohibit and punish fraudulently and without certificate of qualification and license practicing chiropractic, and using the title, "Doctor of Medicine", or abbreviation thereof, and violations of or failure to comply with laws governing chiropractors; fix educational requirements of chiropractors: First, those now practicing, who seek to qualify; and, second, those not now practicing, but who hereafter seek to qualify, to practice chiropractic in Alabama; define the science and practice of chiropractic; provide against repeal of valid parts, because of invalidity of any clause or provision hereof; and repeal laws and parts of laws in conflict with this act or any part of it.

Public Health.

By Mr. Stanley:

S. 171. To make an appropriation for the Equipment and Maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond, Virginia.

Finance and Taxation.

By Mr. Ellis of Dallas:

S. 172. To appropriate the sum of Twenty-Five Thousand Dollars ($25,000.OO) out of the General Fund in the State Treasury, not otherwise appropriated. for the relief of the State Child Welfare Department.

Finance and Taxation.

By Mr. Craft:

S. 173. To encourage the reclamation and improvement of tidal, marsh and submerged lands by riparian owners, whose lands abut upon tidal waters of the State, and providing for the grant of the necessary title by the State of Alabama to that end.

Judiciary.

By Mr. Walker:

S. 174. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Education.

LEAVES OF ABSENCE

On motion of Mr. Bonner, leave of absence was granted Mr. Young for today.

On motion of Mr. James, leave of absence was granted Mr. Mitchell for today.

Also on motion of Mr. James, indefinite leave of absence was granted Mr. Smith on account of illness.

PRIVILEGES OF THE FLOOR

On motion of Mr. Nixon, the privileges of the floor were extended to Congressmen Bolling and Jeffers for today.

CALENDAR BILLS POSTPONED

On motion of Mr. Fite, all bills on today's calendar were postponed until the next legislative day.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama:
Sirs:

I am directed by the Governor to hand you herewith his message.

Respectfully submitted,
Gaston Scott,
Private Secretary.

June 7, 1927.

To the Legislature of Alabama,

Gentlemen:

In your short tenure of office, you have given Alabama's children a seven months minimum school term.

You have given her Confederate Veterans and their widows the most generous provision that they have received from any state any time.

You have made the appropriation to amply care for her deaf, her mute and her blind.

You have provided the revenues and the machinery for a continued and accelerated road and bridge building program. The Twenty-five Million Dollar Bond Amendment which you submitted to our people was approved by the most overwhelming and uniform majority ever given any proposition submitted to them, showing their abiding faith in you and the others that they have put in charge of their governmental affairs.

You have solved the convict problem that has so long disturbed Alabama, not only as to State convicts but as to County convicts. Under the powers conferred by you, a gradual movement from the mines is continually going on. Today there is not a county convict in the mines, not a white State convict in a mine nor in a turpenine farm. This process will gradually continue without disturbing business until this movement is completed.

You have solved the Mobile port problem.

This list of major achievements is unequalled in the history of our State and is the best earnest of the greater things you will yet do.

Never have the governmental problems of our State been investigated with such discriminating ability and unselfish devotion as has been done by your several Recess Committees. This recess work will enable you to carry out through deliberately considered and carefully prepared measures, the needed reforms in our State affairs. I believe the expenditures made by these committees will prove for the State the best investment that could have been made by your body. I bespeak for their work, the confidence of your entire body and urge that you give precedence to the raising of the revenue which is necessary to keep Alabama at the front of the vanguard of the progress of today.

Dr. Dowell quotes Babson as having recently said that "Alabama is the richest state in natural resources and with knowledge, industry and faith she will be the first industrial state in the Union." The world has knowledge of our resources, our people have the industry and the only thing needed is faith. Let us have faith in Alabama and its people, faith in ourselves and in one another. Faith to do the needful in the big things in a big way, to do the needful for education and for health and for our eleemosynary institutions. When we show this faith in ourselves, the world will have faith in us and Babson's prediction will come true NOW and Alabama will be FIRST.

Respectfully submitted,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Ellis of Dallas, the foregoing message from His Excellency, The Governor, was read at length and ordered spread upon the Journal.

REPORT OF JOINT RECESS COMMITTEE ON TEXT BOOKS OF THE LEGISLATURE OF 1927

To the Legislature of Alabama:

Your Joint Recess Committee on Text Books was created by Senate Joint Resolution No. 10, introduced by President Pro Tem Mr. Brown, which resolution is as follows:

"Be it resolved by the Senate, the House concurring:

1st:—That a Joint Committee of the Senate and House is hereby created, to consist of two members on the part of the Senate to be appointed by the Presiding Officer of the Senate, and three members on the part of the House, to be appointed by the Speaker of the House, who shall elect one of their number as Chairman of such committee.

2nd:—It shall be the duty of this committee to investigate the School Text Books of the State as to whether or not any law has been violated as to carrying out any contracts in supplying school books to the State by the publisher, and to make any other investigation that may be advisable in making a full report of the text books of the State.

3rd:—This committee shall have full power and authority to call for individuals, documents, books, papers and any other information deemed necessary in making such investigation. Said committee shall sit during the recess of the Legislature.

4th:—That it shall be the duty of said committee to make such recommendations to the Legislature from its findings as they may think best, and to make report in a reasonable time.

5th:—That it shall have the power to employ a secretary who, with the committee, shall be paid a per diem and expenses in the same manner that other Legislators and committees are paid.

Adopted by the Senate January 20, 1927.

Adopted by the House February 15, 1927."

Acting under authority of this resolution, the Committee has held numerous hearings and examined many witnesses, and has endeavored to keep strictly within the authority granted by the above quoted joint resolution. The Committee begs to report as follows:

I.

AS TO WHETHER OR NOT ANY LAW HAS BEEN VIOLATED AS TO CARRYING OUT ANY CONTRACTS IN SUPPLYING SCHOOL BOOKS TO THE STATE BY THE PUBLISHERS

The Committee found that immediately upon the induction into office of the present administration a bill was filed by the Attorney General of the State of Alabama, in the name of and for and on behalf of the State of Alabama, against the American Book Company in the Circuit Court of Montgomery County, in Equity, wherein the State sought to enjoin the American Book Company from continuing in force in Alabama the prices of

text books therein set out while said text books were being sold in the adjoining State of Tennessee at a lower price.

The bill disclosed that on the 2nd day of June, 1924, the American Book Company, of Cincinnati, Ohio, entered into a contract with the State of Alabama to furnish adopted text books to the school children of Alabama, viz.:

Geographical Reader (European), Carpenter, at	$ .95
Around the World With Children, at	.69
Elementary School Dictionary, Webster, at	1.14
Secondary School Dictionary, Webster, at	2.09

This contract was the result of a competitive bid submitted by the American Book Company to the State Board of Education or the Text Book Committee, which had authority to call for such bids as provided by statute, and which had authority to enter into a contract with the publishing company for the price of these books. Likewise the Committee had authority to impose the conditions embodied in such contracts.

One of the conditions of the contract was that the publishing company should reduce the price of the books named in this contract to such an extent as would meet any lower price at which the books were furnished any other state where like conditions prevailed.

Section 4 of the particular contract read as follows:

"If at any time during the period of this contract, the books and publication herein named shall be contracted for a price to any state, county or school district in the United States where like conditions prevail, as are prevailing in Alabama, lower than the price agreed upon in this contract, then the lower price shall become the contract price between the party of the first part and the party of the second part herein."

This provision in the contract was evidently adopted under authority of Section 387 of the School Code of Alabama, which is in part as follows:

"The State Board of Education shall not in any case contract with any person or publisher for the use of any books which are to be sold to patrons or used in any public school in this state at a price above or in excess of the price at which such book or books are furnished by said person or publisher under contract executed within twelve months next preceding to any state, county or school district in the United States under like conditions prevailing in this state and under this article."

The bill of complaint shows that the identical books furnished by the American Book Company to the State of Alabama at the prices hereinabove set out are being furnished by the same company to the pupils in Tennessee at a lower price, viz.:

Carpenter's Geographical Reader at	$ .87
Around the World With Children at	.63
Elementary School Dictionary (Webster) at	1.04
Secondary School Dictionary (Webster) at	1.90

Answering the bill of complaint above referred to, the American Book Company admitted the discrepancy in prices above quoted, but claimed that like conditions did not prevail in Tennessee as prevailed in Alabama, by reason of the fact that the State of Alabama required the shipment of all text books by the publisher to a central depository in the State of Alabama, which depository in turn distributed the books to the various dealers in Alabama; whereas in Tennessee there is no central depository and the books are distributed by the publisher direct from its own home office. It is the contention of the State of Alabama that this matter of distribution of the books to the various retail dealers in the State of Alabama is a function

which must, in any event, be performed by the publisher, and whether such distribution is made at a central depository in the State of Alabama, or from the home plant of the publisher, is immaterial.

At the time of the filing of the bill the State of Alabama prayed for a temporary injunction, and, after hearing before the Circuit Court of Montgomery County, this temporary injunction was granted; and the case is now pending on appeal by the American Book Company to the Supreme Court of Alabama.

It will be noted that the prevailing discrepancy between the Alabama price and the Tennessee price of the text books in question is about ten per cent of the price made the State of Tennessee; that is, the books in question cost the pupil in Alabama ten per cent more than they do the pupil in Tennessee. Your Committee found that a similar discrepancy had existed as to quite a number of other books published by other publishers, and that these publishers, on demand of the State Department of Education, had caused the Alabama prices of their text books to conform to Tennessee prices in question.

Your Committee is of the opinion that the spirit of the contract and of the statute above quoted are clearly being violated by the American Book Company, and the other publishers adopting the same attitude, and the Committee confidently expects that the ruling of the Circuit Court of Montgomery County will be affirmed by the Supreme Court of Alabama.

However, this question is a question of law and is in process of adjudication by the courts of Alabama, and it is not the function of this Committee to trespass upon the rulings of our courts.

It will be noted that the case above referred to affects only a limited number of books, and as to these books the controversy involves only a saving to the pupils of the schools of Alabama of about ten per cent of the present price prevailing in Alabama. Your Committee was impressed with the idea that neither the Legislature of Alabama nor the patrons of the schools of Alabama would be satisfied with the saving of this ten per cent of the cost of these particular books, and your Committee therefore proceeded with a further investigation of the school text books of the State as provided by the resolution hereinabove quoted.

II.

INVESTIGATION AS TO THE NUMBER OF BOOKS USED IN THE PUBLIC SCHOOLS OF ALABAMA, THEIR METHOD OF SELECTION, METHOD OF DISTRIBUTION, COST TO PATRONS AND RELATIVE MERITS

Your Committee found that the present courses of study in effect in the public schools of Alabama were prescribed by the State Board of Education on the recommendation of the State Superintendent of Education, under authority of Section 15 of the School Code of Alabama. It did not come to the attention of the Committee as to who actually prepared and prescribed the present courses of study which were submitted bu the State Superintendent of Education to the State Board of Education, and which in turn were adopted by the State Board of Education.

The particular books adopted and in use at present in the State of Alabama were selected by the Text Book Committee under authority of Article 23, Sections 365-404, of the School Code of Alabama. Members of the Text Book Committee emphatically called the attention of your Committee to the fact that this Text Book Committee merely selected the books to fit the courses of study prescribed by the State Board of Education under Section 15 of the School Code of Alabama, and that therefore the Text Book Committee was not responsible for the number of courses or for the number of books adopted and in use in the public schools of Alabama. The Text Book

Committee merely fitted the particular book to the procrustean bed prescribed by the State Board of Education.

The Text Book Committee not only passed upon the relative merits of the innumerable books submitted for their inspection, but adopted the books and awarded the contracts. Your Committee was impressed with theh herculean task imposed upon this Text Book Committee within its limited time, and also with the dual functions imposed by statute upon the Text Book Committee, to-wit, (1) that of passing upon the relative merits of the many books submitted for their inspection, and (2) that of awarding the contracts in the light of the relative prices of the books. The one function required the training and experience of educators; the other administrative and business experience.

The Joint Recess Committee on Text Books through a sub-committee made a detailed inspection of the contracts for school books between the State of Alabama and the publishers, and prepared a list of the publishers of the respective books, their contract price and exchange price. This report of the sub-committee which was adopted by the Joint Recess Committee is attached to this report in the appendix thereto.

Your Committee also was furnished with a detailed report of the relative number of books in the various grades of the elementary schools in use and adopted in Alabama and neighboring Southern states. This report not only showed the number of books in use in Alabama in each grade and in adjoining states, but the cost of books for each grade in Alabama and adjoining states, and also the name and price of each book for each grade in Alabama and adjoining states. This detailed report, prepared under the supervision of the Governor, was checked by the Superintendent of Education, who reported to the Committee that the same was correct. This detailed study and comparison of the text books of Alabama and those of other Southern states contained such valuable and exhaustive information that the same is included in the appendix of this report, and a careful examination of the same by the Legislature is invited.

An inspection of this detailed study discloses that with perhaps one or two exceptions a greater number of basal text books have been adopted and are in use in Alabama than are in use in other Southern states, and that with some exceptions the average cost of the text books to the pupil in Alabama is materially greater than that of the average in other Southern states. The Committee did not undertake to ascertain whether the larger number of text books, in the one istance, and the higher cost of text books, in the other instance, was due to a superior or an inferior course of study in force in Alabama as compared with that of the average in force in other Southern states.

The specimens of the adopted text books on file with the Department of Education were submitted to the Committee for its inspection, and an actual weighing of the books by the Committee disclosed the following weights of the books for each grade:

Senior High III	25½	lbs.
Senior High II	20	lbs.
Senior High I	21¼	lbs.
Junior High III	11½	lbs.
Junior High II	11¾	lbs.
Junior High I	17½	lbs.
6th Grade	15	lbs.
5th Grade	10½	lbs.
4th Grade	10½	lbs.
3rd Grade	9	lbs.
2nd Grade	5	lbs.
1st Grade	4	lbs.

III.

THE PROBLEM PRESENTED TO THE JOINT RECESS COMMITTEE ON TEXT BOOKS.

Numerous witnesses, including representatives of the publishers doing business in Alabama, educators of Alabama, and the general public of Alabama, were examined by the Committee.

The representatives of the book publishers presented two distinct lines of thought. The one claimed that the distribution of text books from a central depository in the State of Alabama was no advantage to the publisher, or, for that matter, to the patron of the schools; the other claimed that the central depository system was advantageous to both the publisher and the patron of the schools, by reason of the fact that the publisher was relieved of the many detail shipments to the retail dealer and the retail dealer in turn could quickly and effectively order the books needed from the one or two central depositories without delay and with great reduction in the chances for mistakes and errors. A majority of the representatives of the publishers favored the central depository system. A careful examination of the central depository system, both through witnesses and by an inspection of the two plants in operation at Birmingham, convinced the Committee that the central depository system as now in operation in Alabama was beneficial to both the publisher and the school patron.

As far as can be recalled, every witness that appeared before the Committee stated that there were too many text books adopted and in use in the schools of Alabama, and reference was particularly made to the overloading of the sixth grade of the elementary schools. From a mass of information collected by the Committee, the Committee prepared a list of suggested changes in text books in the elementary schools, junior high school and senior high school. This list of books, in the form of a questionnaire, was submitted to not less than 100 representative educators of the State of Alabama.

The list suggested the elimination of eleven books in the elementary schools and five changes and substitutions in the elementary schools; the elimination of nine books in the junior high school and four substitutions and changes; and the elimination of four books in the senior high school and two substitutions and changes. As stated, this list was submitted to representative educators of the State of Alabama, and their replies affirming the suggested changes and negativing the suggested changes were tabulated by the Committee.

This list of suggested changes, with the tabulation of the answers received, is included in the appendix. An examination of this list will disclose that, for instance, fifteen educators approved the elimination of The Silent Reading Hour, First Reader, for the first grade, and that five disapproved such elimination. Many answers were received as to which the Committee could not determine whether they were affirmative or negative, and hence they were not tabulated.

The Committee considered seriously the elimination of the books in question, or at least a part of the books in question, by legislative enactment; but after a careful study, your Committee did not feel that it had sufficient time or sufficient training or ability to undertake the responsibility of such action, and likewise the danger of ossifying the course of study by legislative enactment was feared.

Also, in studying the problem of reducing the number of courses required in the public schools of Alabama, and thereby reducing the number of adopted books in Alabama and elimination of such books and the reduction in price and in the cost of distribution of such books, the Committee was confronted with the provisions of Section 262 of the Constitution of Alabama, 1901, which provides as follows:

"Sec. 262. The supervision of the public schools shall be vested in a superintendent of education, whose powers, duties, and compensation shall be fixed by law."

It was the endeavor of the Committee to work out an effective and efficient plan whereby, within constitutional and practicable limits, the number of courses, and thereby the number of books prescribed would be reduced; whereby the very best books available for the school children of Alabama would be obtained; and yet at the same time providing for negotiations for the purchase of such text books in a practical and business-like manner.

After a careful study of the problems hereinabove set out, the Committee prepared a bill for the approval of the Legislature.

IV.

RESUME OF BILL PROPOSED TO THE LEGISLATURE BY JOINT RECESS COMMITTEE.

1. Council of Education. The bill proposes the raising of a Committee or Council of Education, which, within constitutional limits shall prepare and submit to the Board of Education a course of study for the schools of the State of Alabama. This Council of Education is to begin its work immediately upon the adoption of the bill, and it is hoped that, in the light of the fact that every educator of the State of Alabama appearing before the Committee stated to the Committee that too many courses and too many books were in use in the State of Alabama, the Council of Education will recommend to the Board of Education the elimination of courses and books. As stated, this Committee has already made a preliminary study of this question which is embraced in the appendix in the suggested changes in text books and the replies thereto submitted by many school teachers of Alabama. Your Committee is convinced that the problem of actually eliminating these books must be met after a careful study by a trained committee, and not by legislative enactment. Such a study by the Council of Education provided in the bill should result in a material saving in the number of books and therefore in the cost of text books to the patrons of schools in Alabama. The Committee, after very conservative estimate, does not see why the number of courses of study, and hence the number of books, can not be reduced by one-tenth. In fact, this reduction should be greater if there is the elimination of supplementary text books, which has been so repeatedly suggested to the Committee. Also, attention is called to Section 371 of the School Code of Alabama, wherein it is provided that the State Board of Education now has the power by three-fourths vote to drop an unsatisfactory book at the end of any school year while the contract is in force. Hence, without violation of the present contracts with the book publishers, the State Board of Administration, on the recommendation of the Council of Education, can eliminate many of the text books now on the adopted list.

2. The bill retains the Committee on Text Books provided by Article 23, Sections 365-404, of the present School Code of Alabama, but relieves this Committee of the burden of actually negotiating and contracting for the text books. The Committee on Text Books is required to grade and rate not less than three books for each suggested course, and such grading or rating is in a secret report submitted to the Text Book Purchasing Board created by the bill.

3. The Text Book Purchasing Board is composed of the Governor, the President of the State Board of Adminsitration, and the Superintendent of Education. It is believed that the Governor is perhaps more than any other man in every instance more vitally interested in a successful business administration; that he will be assured of the selection of an outstanding

business executive as the President of the Board of Administration; and on the other hand, the place of the Superintendent of Education on such a Purchasing Board is obvious. It is the function of the Text Book Purchasing Board, with the detailed information and ratings of the numerous books furnished it by the Text Book Committee, to negotiate with the various publishers for the particular book to fill the particular course at such price and on such terms as is most advantageous to the State and the patrons of the schools. It is believed that a business-like negotiation of the purchase of text books for the State and patrons of the schools will, within reasonable limits, result in a material saving to the patrons of the schools, and when it is considered that such negotiations may result in the elimination of the unused portions of many books now adopted, your Recess Committee estimated that such saving would perhaps amount to as much as five per cent of the present cost of text books.

4. Distribution by Board of Administration. The bill provides that the Text Book Purchasing Board shall have plenary power to prescribe the method of distribution of text books in Alabama, and that the text books may be distributed by the Board of Administration of Alabama with the use of convict labor. A study of the present central depository system in Alabama discloses that the central depositories receive about ten per cent of the cost of the books for the services rendered in their distribution. The cost of carriage of the text books from the publisher to the central depositories, and in turn from the central depositories to the retail dealer, amounts to about three per cent, and your Committee sees no reason why the Board of Administration could not handle the distribution of the text books from a central depository at Montgomery at a cost of not more than five per cent, and in fact that limitation is written into the bill.

5. The bill contains the optional provision for the local distribution of the text books by the county or city authorities. If this function is taken over by the local authorities, and likewise the distribution of text books from a central depository is assumed by the Board of Administration, there will be a saving to the patrons of the schools of Alabama of all the advantageous features of the present central depository system now in force in Alabama, and the elimination of practically all the cost of such system to the patrons of the schools except the necessary carriage charges. A combination of a central depository system, operated by the Board of Administration, and a local distribution of the books by the county or city authorities, should therefore result in a saving to the patrons of the schools of at least fifteen per cent of the present retail cost of text books.

6. The bill provides for a joint contribution to the cost of text books by the State and by local authorities, it being provided that the State will match funds of the local authorities to the extent of ten per cent of the cost of the text books. The present yearly cost of text books in Alabama, according to reports on file with the Department of Education, is about $600,000.00, and it is estimated that for a considerable period in the future this cost will not exceed $1,000,000.00 per annum. Therefore a contribution of ten per cent of the cost of the books by the State will not cost the State exceeding $100,000.00, and this amount must be matched by funds of local authorities, resulting in a saving to patrons of twenty per cent of the present cost of text books. The bill likewise authorizes the installation of rental systems by local authorities, which will possibly result, if adopted, in a still greater saving.

EFFECT OF BILL

If efficiently administered according to the figures above quoted, there is a possible saving by the adoption of the above outlined plan to the patrons of the schools of Alabama of forty per cent of the present cost of text books. Your Committee will not assert that this amount will be actually

saved, but is confident that an efficient administration of the bill recommended will result in a saving of one-third of the present cost to patrons, and your Committee earnestly recommends the passage of the bill by the Legislature. A copy of the bill is included in the appendix to this report.

ULTIMATE EFFECT OF BILL

It is believed that the passage of the bill recommended would be a step toward the assumption by the State of Alabama of not only the distribution of text books in Alabama, but finally of the adoption of a system of free text books, the cost of which will ultimately be borne by the State and by local authorities.

In its labors your Committee has received the earnest and effective cooperation of the Governor of Alabama, the Attorney General through the Honorable Thos. E. Knight, Jr., Assistant Attorney General in charge of the litigation hereinabove referred to, the Superintendent of Education and his Department, the Text Book Committee of 1924, and numerous educators of the State of Alabama. The Committee is especially indebted to the Honorable Harwell G. Davis, who as Attorney General of the State had made a detailed study of the text book problem of Alabama, and this Committee availed itself of the services of Mr. Davis by numerous conferences with him and by having him prepare the preliminary draft of the bill submitted.

Respectfully submitted,

Jacob A. Walker, Chairman,
W. Y. Lovelace, Vice-Chairman,
J. T. Carlton,
J. J. Cockrell,
Leo R. Jones,
Watt T. Brown,
J. Lee Long.

A BILL

To be entitled An Act in relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Be it enacted by the Legislature of Alabama:

Section 1. The State Board of Education, on the recommendation of the State Superintendent of Education, shall prescribe the minimum contents of courses of study for all public, elementary and high schools in the State, and shall fix the maximum number of books which are compulsory in each grade of the elementary schools.

Section 2. The State Board of Education, on the approval of the State Superintendent of Education, shall appoint a committee to be known as the Council of Education, to consist of not less than seven nor more than ten members actively engaged in teaching in the public elementary schools, high schools, normal schools or colleges of the State, two of whom shall be engaged in primary work, whose duty it shall be to prescribe the courses of study for the elementary and high schools and normal schools of the State showing the minimum contents for the different kinds and grades of schools. The Council of Education shall also prepare, or cause to be prepared, for approval and adoption the compulsory maximum contents of the courses of study for each grade of the elementary schools.

Section 3. The Council of Education shall submit a report of their recommendations to the State Superintendent of Education at least once every three years, and may submit a report of recommendations at any time they see fit. It shall be the duty of the Superintendent of Education to submit to the State Board of Education the report of said Council of Education, together with such recommendations as he may think proper. The

members of the Council of Education shall serve for a period of six years and they shall hold office until their successors shall be appointed. The State Superintendent of Education shall be ex-officio chairman of the Council of Education. The Council of Education shall meet at the call of its chairman and organize by selecting someone to act as secretary who shall be charged with the duty of keeping an accurate record of its proceedings.

Section 4. Before transacting any business each member of the Council of Education and its secretary shall take an oath before someone authorized to administer oaths to faithfully discharge the duties imposed upon him as a member or as secreatry of said Council of Education, and that he has no interest as an author, an associate author, a publisher, a representative of authors or publishers, and that he is in no way connected with the distribution of books, or pecuniarily interested directly or indirectly in the business or profits of any person, firm or corporation anywhere engaged in manufacturing, publishing or selling school books. The Council of Education shall receive the same compensation and expenses as that hereinafter provided for the members of the Text Book Committee and shall not remain in session at any one time for a longer period than thirty days.

Section 5. Immediately upon the passage and approval of this Act it shall be the duty of the State Board of Education, on the approval of the State Superintendent of Education, to appoint the Council of Education herein provided, and immediately upon the appointment of said Council it shall be the duty of the Council to convene on the call of its chairman as soon thereafter as may be convenient, not more than sixty days after the passage and approval of this Act. It shall be the duty of the Council of Education, upon its convening, to canvass the entire courses of study of the elementary schools, high schools, normal schools, and to make their report as soon thereafter as is practicable and feasible to the State Board of Education. In making such study and canvass of the courses of study in the schools of the State as herein provided, the Council of Education shall avail itself of information secured by the Joint Recess Text Book Committee of the Legislature.

Section 6. In every elementary school in the State there shall be taught reading, spelling and writing, arithmetic, oral and written English, geography, history of the United States and Alabama, elementary science, hygiene and sanitation, physical training and such other studies as may be prescribed by the State Board of Education. English shall be the only language employed and taught in the first six grades of the elementary schools in the State.

Section 7. The State Board of Education shall, upon the recommendation of the State Superintendent of Education, appoint a Text Book Committee to consist of seven members, each of whom shall be a well known educator, engaged in public school work. The State Superintendent of Education shall be ex-officio chairman of said Text Book Committee. The Text Book Committee shall meet at the call of its chairman and organize by selecting one of the employees of the Department of Education to act as secretary of said Text Book Committee, who shall be charged with the duty of keeping an accurate record of all its proceedings. Before transacting any business, each member of the Text Book Committee and its secretary shall take an oath, before some person authorized to administer oaths, to discharge faithfully all the duties imposed upon him as a member or as secretary of said Text Book Committee, and that he has no interest, directly or indirectly, in any contract that may be made under this Act; also that he will not reveal to anyone, except to the Text Book Purchasing Board, as provided by law, the findings, ratings and gradings of the Text Book Committee. The Text Book Committee provided for in this Act shall maintain its organization for six years unless otherwise ordered by the State Board of Education.

Section 8. As soon as practicable, and not later than three days after its organization, the Text Book Committee shall advertise in such manner and for such length of time and at such places as may be deemed advisable that at a certain time and place sealed bids or proposals will be received from publishers of school text books for furnishing books to the public schools in the State of Alabama, through such agencies or in such manner or by such method as may be provided under the terms of this Act. The bids or proposals by said publishers shall be for furnishing books for a period of six years, unless otherwise ordered by the State Board of Education. Said bids shall state specifically and definitely the price at which the books shall be furnished, and shall be accompanied by specimen copies of each and every book proposed to be furnished. The Text Book Purchasing Board shall advise the Text Book Committee the various methods it will probably adopt for the distribution of text books in the State of Alabama, and each bid shall specifically state the particular price the book will be furnished under each alternative method which the Text Book Purchasing Board reserves the right to use in the distribution of text books.

Section 9. Each publisher who makes a bid or proposal to furnish school text books shall be required to deposit with the Treasurer of the State a sum of money such as the State Board of Education shall require, but not less than $500.00 nor more than $2,500.00, according to the number of books such bidder proposes to supply, which sum or deposit shall be forfeited absolutely to the State Board of Education for the use of the text book fund hereinafter provided for if the bidder making the deposit shall fail or refuse to make and execute such contract and bond as the State Text Book Purchasing Board may require. The time within which said contract and bond shall be executed shall be stated in the advertisement inviting bids or proposals. All bids shall be sealed and deposited with the Secretary of State, to be delivered by him to the Text Book Purchasing Board when requested to do so by the Governor. All such bids shall be opened in the presence of the State Text Book Purchasing Board.

Section 10. The Text Book Committee shall consider the merit of each text book, taking into consideration the subject matter, printing, binding, material and mechanical makeup, and shall grade or rate each such book according to its merits, suitability and desirability. The grading or rating of such text books shall be both as a whole and separately as to each matter the Text Book Committee is required to consider. The grading or rating of such books shall be in executive session, and the findings of the Text Book Committee shall not be revealed to anyone except to the Text Book Purchasing Board, as provided by law. It shall be a misdemeanor for any member of said Text Book Committee or the secretary thereof, or for any other person, to disclose said ratings and gradings to anyone except to the Text Book Purchasing Board, until after the contracts are made. Anyone found guilty of disclosing said ratings and gradings shall be fined not exceeding five hundred ($500.00) dollars and also may be imprisoned or sentenced to hard labor for a term not exceeding six months.

Section 11. The Text Book Committee shall report to the Text Book Purchasing Board the three most meritorious and desirable books for each subject, and may make a report as to any number of books if it deems such a report would be beneficial to the Text Book Purchasing Board. Such report may include, in addition to the grading and rating of the books, as hereinbefore provided, any information or expression of opinion which would aid or benefit the Text Book Purchasing Board in the discharge of its duty. If there be a difference of opinion among the members of the Text Book Committee as to the merits of a book, any member of the Committee may file as a part of said report his individual opinion as to the merits of that book. No book shall be selected as suitable and desirable by the Text Book Committee which contains anything of a partisan character.

Section 12. The Governor, the State Superintendent of Education and the President of the State Board of Administration shall constitute the Text Book Purchasing Board. The Governor shall be chairman and the State Superintendent of Education the secretary of said Board. It shall be the duty of the Text Book Purchasing Board to select a uniform series of text books for use in the public schools of the State for a period of six years unless otherwise directed by the State Board of Education. No book shall be adopted by the Text Book Purchasing Board which has not been rated as suitable or desirable by the Text Book Committee. It shall be unlawful for any school official, director or teacher to use any book upon the same branches other than those adopted to the exclusion of the regularly adopted books.

Section 13. As soon as practicable after the Text Book Purchasing Board has received the report of the Text Book Committee it shall notify all publishers whose books have been determined to be suitable by the Text Book Committee that the Text Book Purchasing Board will, at a certain time and place, negotiate with the publishers for the furnishing of text books for the public schools of the State. The Text Book Purchasing Board shall have full power to provide for text books for the public schools of the State, to adopt any book which has been determined as suitable and desirable by the Text Book Committee as a uniform text book for use in the public schools of the State, and to contract with the publisher for such books. The Text Book Purchasing Board shall not advise the publisher the rating or grading as to suitability and desirability given the books by the Text Book Committee. After the Text Book Purchasing Board has examined the bids and proposals of the publishers, it may negotiate with the publishers in the event it considers the price at which the book is offered too high, for the purpose of ascertaining whether or not a more reasonable price can be secured.

Section 14. The Text Book Purchasing Board shall enter into contracts for the furnishing of said text books upon such terms as said Board deems to the best interest of the patrons of the public schools. When the contract is executed, the publisher shall enter into a bond in such sum as may be designated by the Text Book Purchasing Board, conditioned upon the faithful, honest performance of the contract. Said bond shall also provide for the payment of attorney's fee in case of recovery in any suit on same. The Text Book Purchasing Board shall prescribe a minimum amount which shall be recovered on such bond for each breach thereof as liquidated damages, and such amount shall be written into said contract as the minimum amount which may be recovered as liquidated damages in case of each breach thereof.

Section 15. Should any person, firm or corporation fail or refuse to execute the contract and submit therewith his bond as required by law within thirty days after the awarding of the contract, the cash deposit will be deemed forfeited to the State of Alabama and the Treasurer shall place such deposit in the State Treasury to the credit of the Text Book Fund. The mailing of a registered letter announcing the awarding of the contract shall be sufficient that the notice was given and received. When any person, firm or corporation shall have executed the contract and submitted his bond within the time required by law, the Text Book Purchasing Board shall advise the Treasurer of the State in writing of such fact, and the Treasurer shall return to the publisher the cash deposit made by him. The Text Book Purchasing Board shall also inform the Treasurer of the names of the unsuccessful bidders, and upon the receipt of such notice the Treasurer shall return to them the amount deposited in cash by them at the time of the submission of their bids.

Section 16. Both the President of the State Board of Administration and the Superintendent of Education shall preserve in their offices the

specimens or sample copies of all books which have been made the basis of any contract as the standard of quality and excellence to be maintained in such books. The President of the State Board of Administration shall also retain and preserve in his office the original bid or proposal and the contract and bond executed for the furnishing of said books. Each County Superintendent of Education shall be furnished like specimens or sample copies of said books, which shall be preserved by him and which shall always be open to inspection by the public. Books furnished under each and every contract shall at all times during the existence of the contract be equal in all respects to the specimen or sample copies furnished with the bids or proposals.

Section 17. It shall be the duty of the State Superintendent of Education to negotiate with publishers of text books or authors of text books for the preparation and publication, or either, of special text books for use in the public schools of the State. In the event anyone undertakes the preparation of a special text book for the purpose of making the same more suitable and desirable for use in the public schools of the State, the State Superintendent of Education shall cause to be submitted such specially prepared text book or such specially arranged text book to the State Text Book Committee for its findings and rating as to its desirability and suitability for the purposes offered, and if approved by the Text Book Committee same shall be certified to the State Text Book Purchasing Board for its consideration.

Section 18. In the event the Text Book Purchasing Board is unable to obtain what it considers a desirable contract for a text book on any particular subject with publishers whose books have been given approval by the Text Book Committee, the Text Book Purchasing Board may require the State Superintendent of Education to negotiate with publishers or persons to secure the preparation of a text book on such subject or to secure the submission of other texts on such subjects for consideration by the Text Book Committee. The Text Book Purchasing Board may take such other action as it may deem proper to secure an advantageous contract in behalf of the patrons of the public schools of the State, provided that no book shall be adopted by said Purchasing Board unless the same has been found suitable and desirable for the purposes for which it was intended to be used by the Text Book Committee.

Section 19. It shall be the duty of the State Board of Administration to provide for the distribution of text books in the State of Alabama by such method and in such manner as shall be approved by the Text Book Purchasing Board. The Text Book Purchasing Board shall have the power and authority to purchase text books for the public schools of the State; or the Text Book Purchasing Board may contract for consignment of said books by the publishers to the State to be distributed and sold to the patrons of the public schools by such methods and in such manner as the Text Book Purchasing Board deems to the best interest of the patrons of the public schools. The Text Book Purchasing Board shall also have the power and authority to contract with the publishers for the sale and distribution of text books to the patrons of the public schools or may set up from time to time any other regulation or method which the Text Book Purchasing Board considers will secure the prompt distribution of books at the lowest price to the patrons of the public schools of the State.

Section 20. After the Text Book Purchasing Board has approved the general plan or method of handling and distributing text books, it shall be the duty of the State Board of Administration to carry into effect such plan. The State Board of Administration shall have full control and direction of ordering, shipping and collecting the purchase price of the text books, if the same are handled by purchase by the State or by a consignment to the State for distribution. The State Board of Administration

shall have full power and authority to contract with individuals, corporations, county boards of education and city boards of education for the handling and distributing of text books to the patrons of public schools.

Sectin 21. There is hereby appropriated out of the funds in the Treasury not otherwise appropriated the sum of one hundred and fifty thousand ($150,000.00) dollars, to be used as a revolving fund for the securing and distribution of text books in the event the same are handled by the State Board of Administration. Said appropriation shall be paid out upon the warrant of the State Auditor, issued upon the requisition of the President of the State Board of Administration, approved by the Governor. Said fund shall be reimbursed from time to time upon the sale of the text books for the securing and distribution of which payments are made from said appropriation. The Text Book Purchasing Board, with the approval of the Governor, shall prescribe the maximum price which shall be paid by the patrons of the public schools for each text book. Such prices shall only be sufficient to reimburse the State for its expenditure in purchasing, handling, distributing, insuring and other expenses properly incurred in the handling of the books, and the amount added to the purchase price to reimburse the State for handling, distributing, insuring and other expenditure shall not exceed five (5%) per cent of the price at which the State receives the book from the publisher, either on consignment or by purchase. The Text Book Purchasing Board shall prescribe in the contract with the publisher, or arrange with the State Board of Administration for the printing or stamping in or upon each book the maximum price which shall be charged for such text book, and where such text book is sold in any city or county at a lower price than the maximum price provided, by reason of a contribution to the purchase price by the City Board of Education or by the County Board of Education, and by the State out of the Text Book Fund hereinafter provided, then in such event the Text Book Purchasing Board, or the State Board of Administration, under its supervision, shall provide for the printing or stamping in or upon each such book the maximum price which shall be charged in such city or county.

Section 22. Each County Board of Education shall have the authority to provide, by agreement with the State Board of Administration, for the distribution of text books within said county, provided the county will undertake and guarantee to distribute such text books to the patrons of the public schools at a lower price than the State Board of Administration can furnish or arrange to furnish such books. Each Board of Education of a city or municipality shall have the authority to provide, by agreement with the State Board of Administration, for the distribution of text books within such municipality, provided such municipality will arrange and guarantee to furnish such text books to the patrons of the public schools at a lower price than the State Board of Administration or the County Board of Education can furnish or arrange to furnish said text books. In the event any County Board of Education or City Board of Education undertakes to provide for the distribution of text books, such Board shall deposit with the Treasurer of the State such amount as shall be prescribed by the State Board of Administration to secure payment to the State for books secured from the State.

Section 23. The County Boards of Education, the City Boards of Education, Courts of County Commissioners, and other like governing bodies of counties, and municipal councils or other governing boards of a municipality, shall have the power and authority to appropriate funds for the purpose of creating a revolving fund to be used in securing and distributing text books, and also for the purpose of contributing to the expense of furnishing text books. The revolving fund permitted by this section shall be reimbursed from moneys received from sales of text books.

Section 24. Whenever any County Board of Education or Board of Education of any municipality proposes to assist in the expense of furnishing text books to the patrons of the public schools, said County Board of Education or Board of Education of a municipality shall apply to the State Board of Administration for State aid in the defraying of such expense upon the following conditions: There shall be deposited in the State Treasury sufficient funds, the amount to be determined by the State Board of Administration, to defray at least ten per cent of the cost of the text books which it is estimated will be used in the elementary schools of said county or municipality. Upon such deposit the State of Alabama shall credit from the appropriation hereinafter made for that purpose a sum equal to ten per cent of the estimated cost of securing and distributing said text books to the patrons of the public schools of said county or municipality. The Text Book Purchasing Board shall have full authority and power to promulgate such rules and regulations as it deems necessary or advisable to properly carry into effect the intent and purpose of this section, and it shall be necessary for the said county or municipality to comply with said rules and regulations to be entitled to the benefits of the State appropriation made to assist in defraying expenses of furnishing text books to the parons of the public schools. A failure of said county or municipality to strictly abide by said rules and regulations shall forfeit to the State the funds deposited by said county or municipality, and empower the State Board of Administration to take full control and charge of the distribution of text books within said county or municipality.

Section 25. There is hereby appropriated by the State of Alabama out of moneys in the treasury not otherwise appropriated the sum of one hundred and fifty thousand ($150,000.00) dollars annually for the purpose of matching funds as hereinbefore provided deposited to assist in the defraying of the expenses of securing and distributing text books to the patrons of the public schools. The moneys hereby appropriated shall be known as the School Text Book Fund.

Section 26. County Boards of Education, City Boards of Education, the Courts of County Commissioners, and other like governing bodies of the counties or municipalities, shall have power and authority to appropriate funds for the purpose of purchasing text books for free distribution or for rental to the patrons of its public schools under such rules and regulations as shall be prescribed by the respective County Boards of Education or City Boards of Education.

Section 27. As soon as practicable after the adoption of a uniform series of text books, the State Board of Administration shall advise the County Superintendents of Education, City Superintendents of Schools, and other interested parties, that the State Board of Administration is willing to negotiate with the counties and municipalities relative to the distribution of text books, that the authorities may have an opportunity of taking charge of the distribution of text books and of obtaining State aid in defraying the expense of securing and distributing text books. As soon as practicable after arrangements have been made for the distribution of text books, the State Superintendent of Education shall issue a bulletin to all parties interested containing a list of books adopted, the maximum price at which the book is to be sold in each locality and the agencies handling the distribution of text books, and such other information as he may deem necessary.

Section 28. No County Board of Education and no Board of Education of any municipality shall have authority to use any public school funds for the purpose of assisting in defraying the expenses of securing and distributing text books until sufficient public funds have been provided for the maintenance of a free public school for not less than seven months.

Section 29. The members of the Text Book Committee shall be paid the sum of ten ($10.00) dollars per day during the time they are engaged in such work, and in additon shall receive ten cents per mile for each mile traveled from their homes to the place of meeting and return, to be paid out of the revolving fund appropriated for the use of the State Board of Education. Such expenses shall be allowed for each meeting it is necessary to hold. Each member of the committee, before receiving funds for salary or expenses, shall make and swear to a statement of the number of miles traveled and the number of days engaged. When it becomes necessary to pay out any funds in accordance with the provisions of this section, the State Superintendent of Education shall make requisition upon the State Auditor, who shall draw his warrant upon the Treasurer for the amount for which requisition is made.

Section 30. In the case of the failure of any contractor to furnish the books as provided in his contract, his bond shall stand forfeited and the Text Book Purchasing Board, upon the recommendation of the Text Book Committee, may make such other contract for the unexpired term with some other person or company to provide such books as may be necessary to take the place of those included in the contract breached. No text book, however, shall be contracted for which has not been rated as suitable or desirable by the Text Book Committee. The State Board of Education shall have the power by three-fourths vote to drop any text book at the end of any school year while the contract is in force, and the Text Book Purchasing Board, upon the recommendation of the Text Book Committee, may make another adoption in lieu thereof.

Section 31. In the event any municipality or county furnishes free text books, the State Board of Administration shall arrange to have supplied such text books in a manner that will be the least expense to said municipality or county.

Section 32. The State Board of Administration may utilize contract labor so far as practicable in handling the distribution of school books.

Section 33. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 34. Should any section, paragraph or part of this Act be declared unconstitutional it shall not affect the remaining part of this Act, it being the purpose of the Legislature to adopt each separate and distinct paragraph and section and part of this Act.

Section 35. This Act shall become effective immediately upon approval by the Governor.

REPORT OF SUB-COMMITTEE OF SCHOOL TEXT BOOK COMMITTEE

Your Sub-committee, appointed by the Joint Text Book Committee of the Legislature for the purpose of checking the contracts for school books between the State of Alabama and the Publishers, finds that contracts have been entered into with the following Publishers. We have appended hereto as "Exhibit A" the list of Publishers, together with their principal places of business in the State and the companies in which they are bonded. In order that the Committee may fully understand and intelligently report as to the books used, the Sub-committee finds that the books contracted for by the various firms are as follows:

AMERICAN BOOK COMPANY, CINCINNATI, OHIO

Name of Book	Contract Price	Exchange Price
Basal—Peter and Polly in Summer, Lucia	$ 0.57	None
Around the World with the Children, Carpenter	.69	.64

Name of Book	Contract Price	Exchange Price
Elementary School Dictionary, Webster	1.14	None
New Europe, Carpenter	.95	None
Civic Science in Home and Community, Hunter & Whitman	1.52	1.40
Civic Science Manual, Hunter and Whitman	1.14	None
Secondary School Dictionary, Webster, Plain	2.09	None
Secondary School Dictionary, Webster, Indexed	2.28	None
Practical English for High Schools, Lewis and Hosic	1.33	None
Exercises in Practical English, Lewis and Hosic	.27	None
Essentials of Biology, Hunter	1.60	None
Laboratory Manual in Biology, Sharpe	1.14	None

ALLYN AND BACON, ATLANTA, GA.

Elementary Latin, Smith	$ 1.18	$ 0.96
Alarcon's El Capitan Veneno, Snavely	.75	None
Valdes-Hose, Snavely and Ward	.75	None
English Literature with Readings, Pace	1.69	1.40
Practical Physics, Carhart and Chute	1.51	1.24
Laboratory Guide for Physics, Chute	.56	None
American Literature with Readings, Pace	1.69	1.40
Problems of American Democracy, Hughes	1.51	1.24
Elementary Principles of Chemistry, Brownlee and Others	1.51	1.24
Laboratory Exercises in Chemistry, Brownlee	.75	None

BROWN ROBERTSON COMEDY, NEW YORK, N. Y.

Museum Prints for Teachers	.40	None
Manual for Teachers	.30	None
Miniatures each sheet	.10	

The above texts are supplementary for elementary grades and required for Junior High Schools.

FARQUHAR & ALBRIGHT COMPANY, CHICAGO

Applied Movement Writing, Co-Basal:		
Beginning Book	$ 0.12	$ 0.11
Third Year Book	.12	.11
Fourth Year Book	.12	.11
Fifth Year Book	.12	.11
Grammar Grades Book	.12	.11
Alabama Teachers Manual	No charge	

GINN AND COMPANY, ATLANTA, GA.

Music Education Series:		
Songs of Childhood (Rote Song Book in hands of teacher)	.64	.54
Introductory Music	.66	.56
Elementary Music	.72	.59
Intermediate Music	.79	.66
Oral and Written English, Potter-Jeschke-Gillett:		
First Course	.49	.40
Second Course	.49	.40
Third Course (Optional)	.64	.54
Practical Map Exercises and Syllabi in General History	.53	None

Name of Book	Contract Price	Exchange Price
History of Europe, Robinson-Breasted-Beard:		
Ancient and Medieval	1.84	1.53
Our Own Times	1.84	1.53
New Virgil, Greenough, Kittridge, Jenkins	1.80	1.50
Primores Lecciones de Espanol, Marcial-Dorado	1.05	None
Primoral Lectures en Espanol, Marcial Dorado	.90	None
Spanish Grammar, Coester	1.39	1.16
HALL AND McCREARY CO., CHICAGO, ILL.		
The Gray Book of Favorite Songs (Assembly Songs)	$ 0.15	None
D. C. HEATH AND COMPANY, ATLANTA, GA.		
Good Manners and Right Conduct:		
Book 1	.66	None
Book 2	.66	None
Junior English, Buhlig:		
Book 1	.86	.75
Book 2	.86	.75
Book 3	.86	.75
Introduction to Latin, Lupold:		
Book 1	.75	.71
Book 2	1.10	1.03
World History, Webster	2.00	1.75
Community Civics and Rural Life, Dunn	1.40	1.15
Community Civics for City Schools, Dunn	1.40	1.15
Shorter French Course, Fraser and Squair	1.47	None
Preparatory French Reader, Super	1.36	None
Que Fait Geston? Perley	1.00	None
Cuentos y Leyendios, Hill and Cano	1.12	None
Mariuchs, Galdos	1.00	None
La Battala del Marne, Ibanez	1.00	None
Four Charmer Nos Petit, Capus	.76	None
HOUGHTON-MIFFLIN COMPANY, BOSTON, MASS.		
First-Basal, Bolenius Readers:		
Fourth Reader	$ 0.75	$ 0.70
Fifth Reader	.79	.74
Sixth Reader	.83	.77
Classics:		
Riverside Literature Series (Selected List) (.27-1.02, 37, 30, 34, 42, 53, 57, 83, 1.02)		
Practical English Composition, Miller:		
Book III	.60	None
Book IV	.64	None
IROQUOIS PUBLISHING COMPANY, SYRACUSE, N. Y.		
The Mastery of Words Alabama Edition, Arnold	.42	None
Iroquois Geography Note Book:		
Book 1	.38	None
Book 2	.50	None
A Student's Guide to Background to American History	.46	None
Student's Guide in American History for Grades 7-8	.42	None

JOHNSON PUBLISHING CO., RICHMOND, VA.

Name of Book	Contract Price	Exchange Price
Second-Basal Child's World Reader Series:		
Primer	.40	None
First Reader	.45	None
Second Reader	.50	None
Third Reader	.55	None
Alexander and Sarratt, Artihmetic Series:		
Primary Book	.58	.48
Intermediate Book	.65	.55
Advanced Arithmetic (Optional)	.70	.58
Alabama Stories, Taylor	.75	None
Elements of Conservation, Harris	.75	None
Colaw Arithmetic Series:		
Elementary Arithmetic for Fourth Grade	.55	None
Practical Arithmeitc for Sixth Grade	.68	None

J. B. LIPPINCOTT & CO., PHILADELPHIA, PA.

Modern Physiology, Hygiene and Health Series, Haviland:		
Primer	.75	None
Book 1	.83	None
Book 2 with supplement	.80	.67
Food Planning and Preparation, Wellman	1.21	.98

MENTZER BUSH AND COMPANY, CHICAGO, ILL.

Prevocational and Industrial Arts, Wood and Smith	1.50	1.40
Industrial and Applied Art, Co-Basal, Perry and Others:		
Book II	.24	None
Book III	.24	None
Book IV	.24	None
Book V	.24	None
Book VI	.24	None

CHARLES E. MERRILL COMPANY, NEW YORK, N. Y.

Land of Health	$ 0.72	None
First French Book, Greenberg	.94	None
Pas a Pas (McGill DeLautreppe)	.56	None
Colombo, Young	.70	None
La Poudre aux Voux	.56	None

PRACTICAL DRAWING COMPANY, DALLAS, TEX.

Practical Drawing, Modern Arts Course, Revised, Co-Basal:		
Book II	.15	None
Book III	.15	None
Book IV	.15	None
Book V	.20	None
Book VI	.20	None
A Teacher's Manual and Course of Study (No charge).		

RAND McNALLY COMPANY, CHICAGO, ILL.

Geography for Beginners, with supplement, Shepherd	.81	.67
American School History, with supplement, Mace-Petrie	1.25	1.05

ROW PETERSON & COMPANY, CHICAGO, ILL.

Name of Book	Contract Price	Exchange Price
First Basal Readers, Free and Treadwell Series:		
Primer	.40	.38
First Reader	.44	.41
Second Reader	.48	.44
Third Reader	.53	.50
Plane Geometry, Newell and Harper	1.00	.80
Plane and Solid Geometry, Newell and Harper	1.17	.93
Solid Geometry, Newell and Harper	.84	.67
Second Course in Algebra Newell and Harper	.84	.67

BENJAMIN H. SANBORN & CO., BOSTON, MASS.

First Lessons in American History, Revised Edition, Evans	.75	.70
Elementos de Espanol Lacalle	1.24	1.16
First Spanish Reader, Espinosa	.94	None

SCOTT FOR SWAN AND CO., CHICAGO, ILL.

Third-Basal Primer Elson-Runkel	.47	None
Third-Basal, Elson:		
First Reader	.50	None
Second Reader	.54	None
Third Reader	.61	None
Second-Basal, New Elson Readers:		
Book IV	.69	None
Book V	.72	None
Book VI	.72	None
Junior High School Literature:		
Book I, First Year, Elson-Keck	1.21	1.10
Book II, Second Year, Elson-Keck	1.28	1.15
Book III, Third Year, Elson-Keck-Greenlaw	1.55	1.40
Literature and Life:		
Book II, First Year, Greenlaw and Stratton (Optional)	1.66	1.50
Book III, Second Year, Greenlaw-Miles (Optional)	1.73	1.56
Book IV, Third Year, Greenlaw-Miles (Optional)	1.83	1.66

SCOTT FORSMAN AND CO., CHICAGO, ILL.

Old World Background to American History, Harding	.83	.75
Caesar with Prose Composition, Four Book Edition, Walker	1.38	None
Easy French History, Sicard	.73	None

CHARLES SCRIBNERS' SONS, NEW YORK CITY

American Ideals, Greene:		
Book V	.86	None
Book VI	.86	None
American History, James and Sanford	1.69	None
Outlines to accompany James and Sanford's American History, Clarke	.33	None
Government and the People, Long	1.50	1.25
Preparing for the World's Work, with supplement, Doughton	.96	.80
Geography: Commercial and Industrial, Redway	1.62	1.34
Reading and Living, First Year, Hill and Lyman	.90	.75
Practical Spanish Grammar, Manfred	1.39	1.15
French Reader, Ballard	1.05	.87

SILVER, BURDETT AND COMPANY, NEW YORK, N. Y.

Name of Book	Contract Price	Exchange Price
Cicero's Orations with Prose Composition and Grammar, Gunnison and Harley	1.73	None

SOUTHWESTERN PUBLISHING COMPANY, CINCINNATI, OHIO

Twentieth Century Bookkeeping and Accounting, Part 1, No. 5	.90	.72
Twentieth Century Bookkeeping and Accounting, Practice Set	1.28	None

THE BOBBS MERRILL COMPANY, INDIANAPOLIS, IND.

Hygiene and Health, Book I, Emerson and Betts	.60	None
Physiology and Hygiene, Book II (with Southern Supplement), Emerson and Betts	.84	None

THE GREGG PUBLISHING COMPANY, NEW YORK, N. Y.

Gonzalez Smith y Compania, Mercado and Costa	.45	.26
Rational Typewriting, Medal of Honor, SoRelle and Cutler	.93	.54
Secretarial Studies, SoRelle and Gregg	1.21	.70
Rational Arithmetic, Lord	.90	None

THE MACMILLAN COMPANY, NEW YORK

Elementary Geography, with Alabama Supplement, McMurray and Parkins	1.08	.75
Advanced Geography, with Alabama Supplement, McMurray and Parkins	1.43	1.10
Agriculture for Southern Schools, Revised, Duggar	.85	.75
Southern Field Crops, Duggar	2.00	None
Animal Husbandry, Harper	1.55	None
Latin Reader, Julia, Reed	.42	None
Business Law, Bays	1.11	None
World Geographies, Tarr and McMurray:		
Book I for fifth grade for period ending July 1, 1925, and for sixth grade for period ending July 1, 1926	.85	None
Book II for First and Second Year Junior High School for period ending July 1, 1925	1.35	None

THE A. N. PALMER COMPANY, CHICAGO

Writing Lessons for Primary Grades, Co-Basal	.15	None
Palmer Method Business Writing, Co-Basal	.20	None
Teacher's Guide to Writing Lessons (No charge).		

THE SOUTHERN PUBLISHING CO., DALLAS, TEXAS.

Alabama History Stories, Matthews	.70	None
Wind Mills and Wooden Shoes	.60	None
Victory Historical Map and Outline Book, Newton and Irving.		
Early European History	.40	None
Modern European History	.40	None
American History	.40	None

JOHN C. WINSTON COMPANY, PHILADELPHIA, PA.

Name of Book	Contract Price	Exchange Price
Silent Fourth Reader, Lewis and Rowland	.70	.63
Silent Fifth Reader, Lewis and Rowland	.74	.67
Silent Sixth Reader, Lewis and Rowland	.76	.68
Pinnochio	.72	None
Robin Hood	.72	None
Our Community, with Alabama Supplement, Zeigler and Jacquette	.70	.65

Fourth, Fifth, and Sixth Reader Manual for Teachers free of charge.

WHEELER PUBLISHING COMPANY, CHICAGO.

The Silent Reading Hour:		
A First Reader	.55	.51
Teachers Edition with Manual, First Grade	.65	None
Practice Exercises in Silent Reading for First Grade	.25	None
Short Exposure Phrase Cards, Complete Set, First Grade	3.00	None
The Silent Reading Hour:		
A Second Reader	.60	.55
Teachers Edition with Manual, Second Grade	.68	None
Practice Exercises in Silent Reading for Second Grade	.25	None
The Silent Reading Hour:		
A Third Reader	.65	.60
Teachers Edition with Manual, Third Grade	.75	None
Silent Reading Drill Cards for Third Grade	1.70	None

WORLD BOOK COMPANY, YONKERS, N. Y.

Mary Gay Stories	.57	None
A Child's Book of the Teeth	.42	None
Modern Mathematics, Schorling and Clarke:		
Book I	.70	.62
Book II	.70	.62
Modern Algebra, Schorling and Clarke	1.00	.88
Poca a Poca, Hall	1.54	1.43

There is nothing in any contract which the State has entered into with any publisher of school books that would hinder the State from dropping any book or number of books it may see fit from any list contracted for with any of the publishers. The State is bound to use the books contracted for with the several publishers provided such book, or character of book is used in the State schools.

Respectfully submitted,
J. J. Cockrell,
Leo R. Jones,
Sub-Committee.

EXHIBIT "A"

Publisher	Principal Place of Business in Alabama	Bonding Company	Amount of Bond	Agent
Allyn and Bacon, Atlanta, Ga.	None designated	Union Indemnity Company	$ 10,000.00	U. Slingluff
The Brown Robertson Co., New York	Birmingham	Union Indemnity Company	10,000.00	U. Slingluff
Farquhar and Albright, Chicago, Ill.	Montgomery	Union Indemnity Company	10,000.00	U. Slingluff
Ginn and Company, Atlanta, Ga.	Birmingham	Union Indemnity Company	10,000.00	U. Slingluff
Hall and McCreary Co., Chicago, Ill.	Birmingham	Fidelity and Casualty Co.	10,000.00	
D. C. Heath and Co., Atlanta, Ga.	None	American Surety Company	10,000.00	Louis Papen, Res. V-Pres.
Houghton-Mifflin Co., Boston, Mass.	Athens	Union Indemnity Company	10,000.00	U. Slingluff
Iroquois Publishing Co., Syracuse, N. Y.	Birmingham	Union Indemnity Company	10,000.00	U. Slingluff
Johnson Publishing Co., Richmond, Va.	Birmingham	Union Indemnity Company	20,000.00	U. Slingluff
J. P. Lippincott Co., Philadelphia	Montgomery	Union Indemnity Company	10,000.00	U. Slingluff
Mentzer Bush & Co., Chicago, Ill.	Birmingham	American Surety Company	10,000.00	F. W. Morrasy
Chas. E. Merrill Co., New York, N. Y.	Birmingham	Union Indemnity Company	10,000.00	U. Slingluff
Practical Drawing Co., Dallas, Tex.	Birmingham	Union Indemnity Company	10,000.00	U. Slingluff
Rand-McNally Co., Chicago, Ill.	Montgomery	American Surety Company	10,000.00	B. H. Davenport
Row-Peterson Co., Chicago, Ill.	Birmingham	American Surety Company	15,000.00	F. W. Morrasy
Benjamin H. Sanborn & Co., Boston (Organized under laws of Maine—address given in contract, Boston)	Birmingham	American Surety Company	10,000.00	E. D. Philbrick
Scott Foresman and Co., Chicago	Montevallo	Union Indemnity Company	15,000.00	U. Slingluff
Charles Scribners Sons, New York	Birmingham	U. S. Fidelity & Guaranty Co.	10,000.00	U. Slingluff
Silver-Burdett & Co., Chicago	Birmingham	U. S. Fidelity & Guaranty Co.	10,000.00	G. W. L. Buck
Southwestern Pub. Co., Cincinnati	Birmingham	U. S. Fidelity & Guaranty Co.	10,000.00	H. B. Hupp
The Bobbs Merrill Co., Indianapolis	Indianapolis	American Surety Company	10,000.00	John R. Carr
Gregg Publishing Co	Birmingham	American Surety Company	10,000.00	
The MacMillan Company, New York	Birmingham	Union Indemnity Company	20,000.00	U. Slingluff
A. N. Palmer Company, Chicago, Ill.	Birmingham	American Surety Company	10,000.00	F. W. Morrasy
Southern Publishing Co., Dallas, Tex.	Montgomery	Union Indemnity Company	10,000.00	U. Slingluff
John C. Winston Co., Philadelphia	None	American Surety Company	10,000.00	Carl B. Weed
Wheeler Publishing Co., Chicago	Birmingham	American Surety Company	10,000.00	B. H. Davenport
World Book Company Yonkers, N. Y.	Auburn	Union Indemnity Company	10,000.00	U. Slingluff
American Book Company, Cincinnati	(A traveling agt. Birmingham)	American Surety Company		Earl H. Schier Res. Vice-Pres.

NUMBER OF BOOKS IN

GEORGIA		MISSISSIPPI		LOUISIANA		TENNESSEE	
First Grade							
Basal	3	Basal	3	Basal	5	Basal	5
Supplementary	2	Supplementary	0	Supplementary	10	Supplementary	10
Total	5	Total	3	Total	15	Total	15
Second Grade							
Basal	3	Basal	2	Basal	6	Basal	5
Supplementary	4	Supplementary	0	Supplementary	5	Supplementary	10
Total	7	Total	2	Total	11	Total	15
Third Grade							
Basal	6	Basal	6	Basal	6	Basal	7
Supplementary	3	Supplementary	0	Supplementary	5	Supplementary	11
Total	9	Total	6	Total	11	Total	18
Fourth Grade							
Basal	6	Basal	6	Basal	11	Basal	8
Supplementary	3	Supplementary	0	Supplementary	5	Supplementary	11
Total	9	Total	6	Total	16	Total	19
Fifth Grade							
Basal	9	Basal	9	Basal	10	Basal	10
Supplementary	3	Supplementary	0	Supplementary	4	Supplementary	16
Total	12	Total	9	Total	14	Total	26
Sixth Grade							
Basal	10	Basal	8	Basal	11	Basal	10
Supplementary	3	Supplementary	0	Supplementary	4	Supplementary	15
Total	13	Total	8	Total	15	Total	25
Seventh Grade							
Basal	8	Basal	7	Basal	8	Basal	12
Supplementary	3	Supplementary	0	Supplementary	3	Supplementary	8
Total	11	Total	7	Total	11	Total	20

NUMBER OF BOOKS IN

ALABAMA		NORTH CAROLINA		SOUTH CAROLINA		FLORIDA	
First Grade							
Basal	7	Basal	8	Basal	4	Basal	5
Supplementary	0	Supplementary	2	Supplementary	9	Supplementary	7
Total	7	Total	10	Total	13	Total	12
Second Grade							
Basal	7	Basal	7	Basal	6	Basal	5
Supplementary	0	Supplementary	3	Supplementary	5	Supplementary	5
Total	7	Total	10	Total	11	Total	10
Third Grade							
Basal	12	Basal	8	Basal	7	Basal	7
Supplementary	0	Supplementary	5	Supplementary	5	Supplementary	5
Total	12	Total	13	Total	12	Total	12
Fourth Grade							
Basal	13	Basal	8	Basal	9	Basal	8
Supplementary	6	Supplementary	12	Supplementary	5	Supplementary	12
Total	19	Total	20	Total	14	Total	20
Fifth Grade							
Basal	12	Basal	10	Basal	9	Basal	9
Supplementary	4	Supplementary	12	Supplementary	5	Supplementary	6
Total	16	Total	22	Total	14	Total	15
Sixth Grade							
Basal	16	Basal	12	Basal	12	Basal	10
Supplementary	5	Supplementary	12	Supplementary	5	Supplementary	4
Total	21	Total	24	Total	17	Total	14
Seventh Grade							
Basal	12	Basal	12	Basal	13	Basal	11
Supplementary	1	Supplementary	11	Supplementary	3	Supplementary	2
Total	13	Total	23	Total	16	Total	13

COST OF BOOKS IN

ALABAMA		NORTH CAROLINA		SOUTH CAROLINA		FLORIDA	
First Grade							
Basal	$2.74	Basal	$3.23	Basal	$1.63	Basal	$1.61
Supplementary	0	Supplementary	.96	Supplementary	4.15	Supplementary	4.12
Total	2.74	Total	4.19	Total	5.78	Total	5.73
Second Grade							
Basal	3.03	Basal	2.96	Basal	1.81	Basal	1.75
Supplementary	0	Supplementary	1.72	Supplementary	2.23	Supplementary	2.78
Total	3.03	Total	4.68	Total	4.04	Total	4.53
Third Grade							
Basal	6.19	Basal	3.67	Basal	2.56	Basal	3.23
Supplementary	0	Supplementary	2.78	Supplementary	2.99	Supplementary	3.48
Total	6.19	Total	6.45	Total	5.55	Total	6.71
Fourth Grade							
Basal	7.95	Basal	4.73	Basal	4.74	Basal	5.09
Supplementary	4.16	Supplementary	7.60	Supplementary	3.40	Supplementary	7.83
Total	12.11	Total	12.33	Total	8.14	Total	12.92
Fifth Grade							
Basal	7.94	Basal	6.44	Basal	5.29	Basal	6.03
Supplementary	2.65	Supplementary	8.19	Supplementary	3.83	Supplementary	4.38
Total	10.59	Total	14.63	Total	9.12	Total	10.41
Sixth Grade							
Basal	11.71	Basal	9.13	Basal	9.35	Basal	7.28
Supplementary	3.08	Supplementary	8.42	Supplementary	3.99	Supplementary	2.88
Total	14.79	Total	17.55	Total	13.34	Total	10.16
Seventh Grade							
Basal	11.55	Basal	9.89	Basal	10.72	Basal	8.27
Supplementary	.86	Supplementary	7.64	Supplementary	2.46	Supplementary	1.53
Total	12.41	Total	17.53	Total	13.18	Total	9.80

COST OF BOOKS IN

GEORGIA		MISSISSIPPI		LOUISIANA		TENNESSEE	
First Grade							
Basal	$ .97	Basal	$1.98	Basal	$1.51	Basal	1.78
Supplementary	1.00	Supplementary	0	Supplementary	4.21	Supplementary	6.43
Total	1.97	Total	1.98	Total	5.72	Total	6.21
Second Grade							
Basal	1.35	Basal	.62	Basal	1.95	Basal	1.91
Supplementary	1.70	Supplementary	0	Supplementary	2.42	Supplementary	5.15
Total	3.05	Total	.62	Total	4.37	Total	7.06
Third Grade							
Basal	2.73	Basal	2.64	Basal	2.17	Basal	3.02
Supplementary	1.75	Supplementary	0	Supplementary	2.70	Supplementary	6.62
Total	4.48	Total	2.64	Total	4.87	Total	9.64
Fourth Grade							
Basal	3.57	Basal	3.22	Basal	5.90	Basal	4.57
Supplementary	2.03	Supplementary	0	Supplementary	2.89	Supplementary	6.86
Total	5.60	Total	3.22	Total	8.79	Total	11.43
Fifth Grade							
Basal	5.85	Basal	5.43	Basal	5.50	Basal	5.56
Supplementary	2.11	Supplementary	0	Supplementary	2.42	Supplementary	11.70
Total	7.96	Total	5.43	Total	7.92	Total	17.26
Sixth Grade							
Basal	7.62	Basal	5.49	Basal	6.95	Basal	6.68
Supplementary	2.34	Supplementary	0	Supplementary	2.50	Supplementary	11.21
Total	9.96	Total	5.49	Total	9.45	Total	17.89
Seventh Grade							
Basal	6.48	Basal	5.64	Basal	6.30	Basal	8.58
Supplementary	2.34	Supplementary	0	Supplementary	1.98	Supplementary	5.61
Total	8.82	Total	5.64	Total	8.28	Total	14.19

FIRST GRADE

ALABAMA		NORTH CAROLINA	
READING		READING	
Basal		*Basal*	
Free and Treadwell Primer	$ .40	Child's World Primer	.42
Child's World Primer	.42	Reading Literature Primer	.40
Elson-Runkel Primer	.47	Child's World First Reader	.46
Free and Treadwell First Reader	.44	Reading Literature First Reader	.44
Child's First Reader	.46	*Supplementary*	
The Silent Reading Hour First Reader	.55	Story Steps Primer	.51
		Story Hour First Reader	.45
		SPELLING	
		Basal	
		The Mastery of Words, Bk. I	.38
		WRITING	
		Basal	
		Zaner Writing Method, Bk. I	.09
		DRAWING	
		Basal	
		Industrial Art, Shorter Course	.36
		MUSIC	
		Basal	
		Progressive Music Series	.68

FIRST GRADE

SOUTH CAROLINA		FLORIDA	
READING		READING	
Basal		*Basal*	
Child's World Primer and First Reader 1 Vol.	.60	Child's World Primer	.42
Supplementary		Child's World First Reader	.46
The Hill Readers, Bk. 1	.36	*Supplementary*	
The New Howell Primer	.30	Every Day Classics Primer	.47
The New Howell First Reader	.35	Every Day Classics First Reader	.49
Every Day Classics Primer	.56	Natural Method Primer	.56
Every Day Classics, Bk. I	.60	Natural Method First Reader	.60
Story Hour Primer	.57	Twilight Town	.70
Story Hour Reader, Bk. I	.57	Cherry Tree Stories	.65
Free Treadwell and Briggs Primer	.40	Rhyme and Story Primer	.65
Free Treadwell and Briggs First Reader	.44	SPELLING	
WRITING		*Basal*	
Basal		The Mastery of Words Book I	.38
Practical Writing	.10	WRITING	
DRAWING		*Basal*	
Basal		Graves Muscular Writing Book I	.09
Practical Drawing, Bk. I	.20	DRAWING	
MUSIC		*Basal*	
Basal		Industrial Art, Revised	.26
Hollis Dann Music Course, First Year	.73		

FIRST GRADE

GEORGIA		MISSISSIPPI	
READING		READING	
First Basal		*Basal*	
Child's World Primer	.42	Child's World Primer	.42
Child's World First Reader	.46	Child's World First Reader	.46
Secondary Basal		WRITING	
Riverside First Reader	.45	*Basal*	
Buswell and Wheeler First Reader	.55	Practical Writing, Bk. I	.10
WRITING			
Basal			
Zaner-Blosser, Book I	.09		

FIRST GRADE

LOUISIANA		TENNESSEE	
READING		READING	
Basal		*Basal*	
New Elson Primer	.48	Child's World Primer	.40
New Elson Reader, I	.52	Child's World First Reader	.45
Supplementary		*Supplementary*	
The Winston Primer	.42	Baker Thorndyke Primer	.46
The Winston First Reader	.42	Barnes Primer	.52
Free and Treadwell Primer	.36	Bolenius Primer	.58
Free and Treadwell First Reader	.40	Calmerton-Wheeler Primer	.42
Natural Method Primer	.45	Elson Primer	.48
Natural Method First Reader	.48	Firman Moltby Primer	.39
Story Hour Primer	.45	Free and Treadwell Primer	.40
Story Hour First Reader	.45	F. A. Owen Classics	.18
The New Barnes Primer	.39	Baker Thorndyke First Reader	.48
The New Barnes First Reader	.39	Barnes First Reader	.52
WRITING		MUSIC	
Basal		*Basal*	
Graves' Muscular Writing Book I	.09	Progressive Music Series, one book course	.66
MUSIC		WRITING	
Basal		*Basal*	
Rural Song Book	.27	Graves' Muscular Writing	.09
DRAWING		DRAWING	
Basal		*Basal*	
Practical Drawing, Book I	.15	Augsburg Drawing Book I	.18

SECOND GRADE

ALABAMA	
READING	
Basal	
Elson First Reader	.50
Free and Treadwell Second Reader	.48
Child's World Second Reader	.52
Elson Second Reader	.54
The Silent Reading Hour Second Reader	.60
DRAWING	
Co-Basal	
Industrial and Applied Art Book II	.24
WRITING	
Co-Basal	
Writing Lessons — Palmer Method for Primary grades	.15

NORTH CAROLINA	
READING	
Basal	
Child's World Second Reader	.58
Reading Literature Second Reader	.48
Supplementary	
Cherry Tree Children	.52
Story Hour Second Reader	.54
Eskimo Twins	.66
SPELLING	
Basal	
Mastery of Words, Book I	.38
WRITING	
Basal	
Zaner Writing Method, Bk. II	.09
DRAWING	
Basal	
Industrial Art, Book I	.36
MUSIC	
Basal	
Progressive Music Series Book I	.68
ARITHMETIC	
Basal	
First Journeys in Numberland	.45

SECOND GRADE

SOUTH CAROLINA		FLORIDA	
READING		READING	
Basal		*Basal*	
Child's World Second Reader	.65	Child's World Second Reader	.52
Supplementary		*Supplementary*	
The Hill Readers, Bk. II	.50	Every Day Classics Second Reader	.52
The New Howell Readers Book II	.40	Natural Methods Second Reader	.68
Every Day Classics, II	.64	Windmills and Wooden Shoes	.60
Story Hour Readers, II	.69	Jack O'Health and Peg O' Joy	.42
Free, Treadwell and Briggs Second Reader	.48	Pleasant Land of Play	.56
SPELLING		SPELLING	
Basal		*Basal*	
Mastery of Words, Bk. I	.38	The Mastery of Words Book I	.38
ARITHMETIC		ARITHMETIC	
Basal		*Basal*	
Little Folks Number Book	.38	Work and Play With Numbers	.40
WRITING		WRITING	
Basal		*Basal*	
Practical Writing No. 2	.10	Graves' Muscular Writing, Second Book	.09
DRAWING		DRAWING	
Basal		*Basal*	
Practical Drawing Number II	.15	Industrial Art, Revised, 8th Book, Part II	.36
MUSIC			
Basal			
Hollis Dann Music Course, Second Year Music	.15		

SECOND GRADE

GEORGIA		MISSISSIPPI	
READING		READING	
First Basal		*Basal*	
Child's World Second Reader	.52	Child's World Second Reader	.52
Secondary Basal		WRITING	
Riverside Second Reader	.53	*Basal*	
Buswell and Wheeler Silent Second Reader	.60	Practical Writing Book II	.10
Free and Treadwell Second Reader	.48	Supplementary Readers suggested if time permits.	
WRITING			
Basal			
Zaner Blosser Writing Method, No. 2	.09		
ARITHMETIC			
Basal			
Little Folks Number Book	.45		
SPELLING			
Basal			
Mastery of Words Book I	.38		

SECOND GRADE

LOUISIANA		TENNESSEE	
READING		READING	
Basal		*Basal*	
New Elson Reader II	.59	Child's World Second Reader	.50
Supplementary		*Supplementary*	
The Winston Second Reader	.43	Baker Thorndyke Second Readers	.62
Free and Treadwell Second Reader	.43	Barnes Second Reader	.55
Natural Methods Second Reader	.54	Bolenius Second Reader	.69
Story Hour Second Reader	.54	Buswell - Wheeler Second Reader	.62
New Barnes Second Reader	.48	Calmerton-Wheeler Second Reader	.52
ARITHMETIC		Elson 2nd Reader	.59
Basal		F. A. Owen Classics	.18
First Journeys in Numberland	.45	Firma Maltby 2nd Reader	.46
SPELLING		Free and Treadwell Second Reader	.48
Basal		Lewis and Rowland Second Reader	.54
Horn Ashbaugh Spelling Book	.40	WRITING	
WRITING		*Basal*	
Basal		Graves' Muscular Writing Book II	.09
Graves Muscular Writing	.09	ARITHMETIC	
MUSIC		*Basal*	
Rural Song Book	.27	First Journeys in Numberland	.45
DRAWING		MUSIC	
Basal		*Basal*	
Practical Drawing Book II	.15	Progressive Music Series	.66
		DRAWING	
		Basal	
		Augsburg's Drawing Book Two	.21

THIRD GRADE

ALABAMA	
READING	
Basal	
Lucia, Peter and Polly in Summer	.57
Free and Treadwell Third Reader	.53
Child's World Third Reader	.58
Elson Third Reader	.61
Silent Reading Hour Third Reader	.65
ARITHMETIC	
Basal	
Alexander-Sarratt Primary Arithmetic, Parts I and II	.58
DRAWING	
Basal	
Industrial and Applied Arts, Book III	.24
GEOGRAPHY	
Basal	
Carpenter, Around the World with the Children	.69
LANGUAGE	
Basal	
Oral and Written English, First Course, Part I	.49
MUSIC	
Basal	
Introductory Music	.68
SPELLING	
Basal	
Mastery of Words	.42
WRITING	
Basal	
Writing Lessons for Primary Grades, Palmer	.15

NORTH CAROLINA	
READING	
Basal	
Child's World Third Reader	.58
Reading Literature Third Reader	.53
Supplementary	
Story Hour Third Reader	.57
Dutch Twins	.66
McMurry's Robinson Crusoe	.59
LANGUAGE	
Basal	
Good English Book I	.45
SPELLING	
Basal	
Mastery of Words I	.38
WRITING	
Basal	
Zaner Writing Method, Bk. III	.09
DRAWING	
Basal	
Industrial Art, Book II	.36
MUSIC	
Basal	
Progressive Music Series I	.68
ARITHMETIC	
Basal	
School Arithmetic, I	.60
GEOGRAPHY	
Supplementary	
Around the World With the Children	.54
HEALTH	
Supplementary	
Keep Well Stories	.51

THIRD GRADE

SOUTH CAROLINA	
READING	
Basal	
Child's World Reader, 3rd	.58
Supplementary	
Hills Readers, Book III	.56
Studies in Reading	.70
Haliburton's Readers Book III	.47
Story Hour Readers	.73
Free, Treadwell and Briggs Third Reader	.53
SPELLING	
Basal	
Mastery of Words I	.38
LANGUAGE	
Basal	
Work and Play With Language	35
ARITHMETIC	
Basal	
Modern Primary Arith	.50
WRITING	
Basal	
Practical Writing, III	.10
DRAWING	
Basal	
Practical Drawing	.15
MUSIC.	
Basal	
Hollis Dann Music, III	.50

FLORIDA	
READING	
Basal	
Child's World Third Reader	.58
Supplementary	
Every Day Classics Third Reader	.60
Natural Method Third Reader	.71
The Silent Readers, Third Book	.67
American History for Little Folks	.75
The Most Wonderful House In the World	.75
LANGUAGE	
Basal	
Elson, Good English I	.52
SPELLING	
Basal	
Mastery of Words I	.38
ARITHMETIC	
Basal	
Hamilton, Essentials of Arithmetic	.61
GEOGRAPHY	
Basal	
Around the World With the Children	.69
WRITING	
Basal	
Graves, Muscular Writing III	.09
DRAWING	
Basal	
Industrial Art, Book III	.36

THIRD GRADE

GEORGIA		MISSISSIPPI	
READING		READING	
Basal		*Basal*	
Child's World Reader, Third	.58	Child's World Third Reader	.58
Secondary Basal		*Supplementary* Readers suggested if time permits.)	
Riverside Third Reader	.57	LANGUAGE	
Buswell-Wheeler, The Silent Third Reader	.65	*Basal*	
Free and Treadwell Third Reader	.53	Elson-Runkel-Royster Good English I	.52
WRITING		HEALTH	
Basal		*Basal*	
Zaner-Blosser, III	.09	Jones' Keep Well Stories	.60
ARITHMETIC		ARITHMETIC	
Basal		*Basal*	
Wentworth-Smith Primary Arithmetic	.53	Smith's Arithmetic, Progressive, Primary Book	.49
LANGUAGE		SPELLING	
Basal		*Basal*	
Speaking and Writing I	.46	Bailey's Essential Words Book I	.35
SPELLING		WRITING	
Basal		*Basal*	
Mastery of Words I	.38	Practical Writing, Book III	.10
GEOGRAPHY			
Basal			
Carpenter's Around the World With the Children	.69		

THIRD GRADE

LOUISIANA		TENNESSEE	
READING		READING	
Basal		*Basal*	
New Elson 3rd Reader	.66	Child's World 3rd Reader	.55
Supplementary		*Supplementary*	
The Winston Readers, Third Book	.48	Baker Thorndyke Third Reader	.59
Free and Treadwell Third Reader	.48	Barnes' Third Reader	.69
Natural Method Third Reader	.57	Bolenius Third Reader	.74
Story Hour Readers, Third Book	.57	Buswell-Wheeler 3rd Reader	.68
New Barnes Readers Third Book	.60	Calmerton - Wheeler Third Reader	.62
ARITHMETIC		Elson Third Reader	.66
Basal		F. A. Owen Classics	.18
Wentworth - Smith School Arithmetic I	.60	Firman Maltby Third Reader	.58
SPELLING		Free and Treadwell Third Reader	.53
Basal		Lewis and Rowland Third Reader	.62
Horn Ashbaugh Spelling Bk.	.40	GEOGRAPHY	
WRITING		*Basal*	
Basal		Shepherd's Geography for Beginners	.79
Graves' Muscular Writing	.09	*Supplementary*	
MUSIC		Carpenter, Around the World With the Children	.63
Rural Song Book	.27	SPELLING	
DRAWING		*Basal*	
Basal		Mastery of Words I	.39
Practical Drawing, III	.15	WRITING	
		Basal	
		Graves' Muscular Writing III	.09
		ARITHMETIC	
		Basal	
		New School Arithmetic I	.57
		LANGUAGE	
		Basal	
		Oral and Written English I	.45
		DRAWING	
		Basal	
		Augsburgs Drawing III	.18

FOURTH GRADE

ALABAMA	
READING	
Basal	
Bolenius Fourth Reader	.75
New Elson 4th Reader	.69
Lewis & Rowland 4th Reader	.70
Supplementary	
Storyland	.70
Pinnochie	.72
Twilight Town	.70
ARITHMETIC	
Basal	
Alexander-Sarratt Primary Arithmetic, Bk I	.56
DRAWING	
Basal	
Industrial and Applied Arts IV	.24
DICTIONARY	
Basal	
Webster's Elementary School Dictionary	1.14
GEOGRAPHY	
Basal	
Shepherds Geography for Beginners	.81
HISTORY	
Basal	
Matthews Alabama School History Stories	.70
HEALTH	
Basal	
Emerson and Betts, Hygiene and Health, Book I	.60
LANGUAGE	
Basal	
Oral and Written Language First Course, Part II	.49
MUSIC	
Basal	
Introductory Music	.68
SPELLING	
Basal	
Mastery of Words	.42
WRITING	
Basal	
Palmer Writing Method	.15
Supplementary Suggested	
HISTORY	
Taylor's Alabama Stories	.75
HEALTH	
Mary Gay Stories	.57
Land of Health, Winslow	.72

NORTH CAROLINA	
READING	
Basal	
Studies in Reading IV	.70
Supplementary	
Merry Animal Tales	.64
Reading Literature IV	.51
The Silent Fourth Reader	.56
Little American History Plays	.84
LANGUAGE	
Basal	
Good English II	.55
SPELLING	
Basal	
Mastery of Words	.38
WRITING	
Basal	
Zaner Writing Method IV	.09
DRAWING	
Basal	
Industrial Arts II	.36
MUSIC	
Basal	
Progressive Music Series II	.72
HISTORY	
Supplementary	
History Stories of Other Lands III	.60
Old Time Stories of the Old North State	.52
CIVICS	
Supplementary	
Uncle Jim, the Fire Chief	.50
GEOGRAPHY	
Basal	
Essentials of Geography I	1.33
Supplementary	
Around the World Series III	.69
Human Geography I	1.06
The Merrill Geographic Readers II	.60
HEALTH	
Supplementary	
The Child's Day	.72
ARITHMETIC	
Basal	
School Arithmetic I	.60
Supplementary	
Every Day Arithmetic	.36

FOURTH GRADE

SOUTH CAROLINA	
READING	
Basal	
Child's World Fourth Reader	.73
Supplementary	
Hills Readers 4th	.60
Studies in Reading, Fourth Grade Reader	.70
Haliburton's Fourth Reader	.55
Story Hour Fourth Reader	.76
Bolenius Fourth Reader	.79
SPELLING	
Basal	
Mastery of Words I	.38
LANGUAGE	
Basal	
Studies in English I	.50
ARITHMETIC	
Basal	
Smith, Modern Primary Arithmetic Completed	.50
GEOGRAPHY	
Brigham and MacFarlane Essentials of Geography First Book, Part I	1.33
HEALTH	
Basal	
Primer of Hygiene	.48
WRITING	
Basal	
Practical Writing IV	.10
DRAWING	
Basal	
Practical Drawing IV	.15
MUSIC	
Basal	
Hollis Dann Music, Fourth Year	.57

FLORIDA	
READING	
Basal	
Child's World Fourth Reader	.73
Supplementary	
Every Day Classics 4th Reader	.60
Natural Methods 4th Reader	.75
The Silent Fourth Reader	.74
Founders of Our Country	.61
Fifty Famous Stories Retold	.54
Stories of Great Americans for Little Americans	.57
Stories of American Adventure	.61
Safety First for Little Folks	.60
Land of Health	.73
Uncle Jim, the Fire Chief	.50
The Play House	.63
Favorite Stories IV	.75
LANGUAGE	
Basal	
Elson, Good English I	.52
SPELLING	
Basal	
Mastery of Words I	.38
ARITHMETIC	
Basal	
Essentials of Arithmetic	.61
GEOGRAPHY	
Basal	
Frye's Georgaphy with Florida Supplement	1.20
WRITING	
Basal	
Graves' Muscular Writing IV	.09
DRAWING	
Basal	
Industrial Art VIII	.36
DICTIONARY	
Basal	
The Winston Simplified Dictionary	1.20

FOURTH GRADE

GEORGIA		MISSISSIPPI	
READING		READING	
Basal		*Basal*	
Kendall Fourth Reader	.75	Child's World Fourth Reader	.73
Secondary Basal		(Supplementary suggested if time permits).	
Riverside 4th Reader	.60	LANGUAGE	
Wheeler Literary Fourth Reader	.70	*Basal*	
Child's World Fourth Reader	.73	Elson-Runkel-Royster's Good English, Book I	.52
WRITING		GEOGRAPHY	
Basal		*Basal*	
Zaner-Blosser IV	.09	McMurry-Parkins, Elementary Geography	1.03
ARITHMETIC		ARITHMETIC	
Basal		*Basal*	
Wentworth-Smith, Primary Book (completed)	.53	Smith's Progressive Arithmetic Primary	.49
LANGUAGE		WRITING	
Basal		*Basal*	
Modern Course in English Book I	.49	Practical Writing IV	.10
SPELLING		SPELLING	
Basal		*Basal*	
Mastery of Words I	.38	Bailey's Essential Words Book I	.35
GEOGRAPHY			
Basal			
Brigham and MacFarlane Geography Book I	1.33		

FOURTH GRADE

LOUISIANA

READING
Basal
Bolenius Fourth Reader for Boys and Girls ..... .79
Supplementary
Winston's 4th Silent Reader ..... .58
Howe's Fourth Reader ..... .51
Baker Thorndyke's Everyday Classics, 4th ..... .54
Story Hour Fourth Reader ..... .60
New Barnes' Fourth ..... .66
ARITHMETIC
Basal
Wentworth - Smith Arithmetic Bk. I ..... .60
SPELLING
Basal
Horn Asbaugh Spelling Book .40
GEOGRAPHY
Basal
Elementary Geography, McMurry-Parkins 1.12
HEALTH
Basal
Primer of Hygiene ..... .48
WRITING
Basal
Graves' Muscular Writing ..... .09
LANGUAGE
Basal
McFadden, Language and Composition, Minimum Course ..... .60
CIVICS
Basal
Our Community ..... .65
MUSIC
Basal
Rural Song Book ..... .27
DRAWING
Basal
Practical Drawing IV ..... .15
Concise Dictionary ..... .75

TENNESSEE

READING
Basal
Firman Maltby Fourth Reader ..... .62
Baker Thorndyke Fourth Reader ..... .59
Barnes Fourth Reader ..... .76
Bolenius Fourth Reader ..... .78
Carpenter's Around the World with the Children ..... .63
Child's World Fourth Reader ..... .69
F. A. Owen Classics ..... .18
Free and Treadwell Fourth Reader ..... .57
Haliburton Fourth Reader ..... .60
Lewis and Rowland Fourth Reader ..... .67
Searson and Martin Fourth Reader ..... .70
SPELLING
Basal
Mastery of Words ..... .39
WRITING
Basal
Graves' Muscular Writing IV ..... .09
ARITHMETIC
Basal
New School Arithmetic, Bk. I ..... .57
LANGUAGE
Basal
Modern Course in English, Bk. I ..... .43
GEOGRAPHY
Basal
Brigham and MacFarlane Essentials of Geography, Book I 1.21
MUSIC
Basal
Progressive Music ..... .66
HEALTH
Basal
Health for Every Day ..... .60

FIFTH GRADE

ALABAMA

ARITHMETIC
Basal
Alexander - Sarratt, Intermediate Arithmetic, Pt. I .65
DRAWING
Basal
Industrial and Applied Arts No. V .24
DICTIONARY
Basal
Webster's Elementary School Dictionary 1.14
GEOGRAPHY
Basal
McMurray - Parkins Elementary Geography 1.08
HISTORY
Basal
Evans, First Lessons in American History .75
LANGUAGE
Basal
Oral and Written Language Second Course .49
MUSIC
Basal
Elementary Music .72
READING
Basal
Bolenius Fifth Reader .79
New Elson Fifth Reader .72
Lewis and Rowland Fifth Silent Reader .74
SPELLING
Basal
Mastery of Words .42
WRITING
Basal
Palmer Writing Method .20
Suggested Supplementary
CIVICS
Good Manners and Right Conduct, Book I .66
American Ideals, Book V .86
GEOGRAPHY
Geography Note Book, Bk. I .38
HEALTH
Haviland, Modern Physiology Hygiene and Health Series Primer .75

NORTH CAROLINA

READING
Basal
Studies in Reading V .74
Supplementary
Reading Literature V .57
The Eugene Field Book .72
The Silent Reader V .60
America First .72
LANGUAGE
Basal
Good English, Book II .55
SPELLING
Basal
Mastery of Words I .38
WRITING
Basal
Zaner Writing Method .09
DRAWING
Basal
Industrial Art III .36
MUSIC
Basal
Progressive Music Series, Bk. II .72
HISTORY
Basal
N. C. History Stories .60
History Stories of Other Lands .60
CIVICS
Supplementary
I Am An American .66
GEOGRAPHY *Basal*
Essentials of Geography, Bk. I 1.33
Supplementary
Human Geography, Book I 1.06
Around the World Series, IV .72
The Merrill Geographic Readers III .70
HEALTH
Basal
Healthy Living I .72
ARITHMETIC
Basal
School Arithmetic II .75
Supplementary
Everyday Arithmetic .36
AGRICULTURE
Supplementary
Stories of Luther Burbank and His Plant School .88

FIFTH GRADE

SOUTH CAROLINA		FLORIDA	
READING		READING	
Basal		*Basal*	
Child's World Fifth Reader	.81	Child's World 5th Reader	.81
Supplementary		Every Day Classics Fifth Reader	.63
The Hill Readers V	.72	Natural Method Fifth Reader	.79
Studies in Reading V	.74	The Silent Fifth Reader	.77
Haliburton's Fifth Reader	.70	Makers of the Nation	.69
Story Hour Fifth Reader	.84	Sea Creatures	.75
Bolenius Fifth Reader	.83	Favorite Stories	.75
SPELLING		LANGUAGE	
Basal		*Basal*	
Studies in English I	.50	Elson Good English, Bk. II	.55
ARITHMETIC		SPELLING	
Basal		*Basal*	
Smith, Modern Advanced Arithmetic	.80	The Mastery of Words I	.38
HISTORY		ARITHMETIC	
Basal		*Basal*	
Estill, Beginners History of Our Country	.60	Essentials of Arithmetic	.69
Brigham and MacFarlane Essentials of Georgraphy, I	1.33	HISTORY	
WRITING		*Basal*	
Basal		First Lessons in American History, Revised	.75
Practical Writing V	.10	GEOGRAPHY	
DRAWING		*Basal*	
Basal		Frye's New Geography with Florida Supplement	1.29
Practical Drawing V	.20	WRITING	
MUSIC		*Basal*	
Basal		Graves Muscular Writing, Fifth Book	.09
Hollis Dann Music Course, Fifth Year	.57	DRAWING	
		Basal	
		Industrial Art, 8th Bk. Pt. V	.36
		DICTIONARY	
		Basal	
		Winston's Simplified Dictionary	1.20

FIFTH GRADE

GEORGIA		MISSISSIPPI	
READING		READING	
Basal		*Basal*	
Kendall Fifth Reader	.75	Child's World Fifth Reader	.61
Secondary Basal		HEALTH	
Riverside Fifth Reader	.60	*Basal*	
Wheelers Literary Fifth Reader	.70	Winslow's Healthy Living, I	.70
Child's World 5th Rdr.	.81	HISTORY	
WRITING		*Basal*	
Basal		Estell's Beginners History of our Country	.60
Zaner-Blosser No. 5	.09	GEOGRAPHY	
ARITHMETIC		*Basal*	
Basal		McMurry - Parkins Elementary Geography	1.03
Wentworth Smith Intermediate Book	.60	ARITHMETIC	
LANGUAGE		*Basal*	
Basal		Smith's Progressive Arithmetic, Intermediate Bk.	.49
Modern Course in English, Book I	.49	SPELLING	
HISTORY		*Basal*	
Basal		Bailey's Essential Words Bk. II	.35
Evans First Lessons in American History	.75	WRITING	
SPELLING		*Basal*	
Basal		Practical Writing, Book V	.10
Mastery of Words	.36	DICTIONARY	
GEOGRAPHY		*Basal*	
Basal		Winston's Simplified Dictionary	.80
Brigham and MacFarlane Geography I	1.33	LANGUAGE	
HEALTH		*Basal*	
Basal		Elson-Lynch - Royster's Good English II	.55
Jones' Keep Well Stories	.60		
AGRICULTURE			
Basal			
Benson and Betts Agriculture	.56		

FIFTH GRADE

LOUISIANA		TENNESSEE	
READING		READING	
Basal		*Basal*	
Bolenius Boys and Girls Fifth Reader	.83	Firman Maltby Fifth Reader	.67
Supplementary		*Supplementary Readers*	
The Winston Fifth Reader	.61	Baker Thorndyke Fifth Reader	.62
Howe Readers, Book V	.58	Barnes Fifth Reader	.83
Everyday Classics, Bk. V	.57	Bolenius Fifth Reader	.81
Story Hour Readers Fifth Year Book	.66	Child's World Fifth Reader	.70
ARITHMETIC		Crane and Wheeler Fifth	.73
Basal		Elson Fifth Reader	.72
Wentworth - Smith School Arithmetic, Book II	.64	F. A. Owen Classics	.18
SPELLING		Free and Treadwell Fifth	.63
Basal		Haliburton Fifth	.68
Horn - Ashbaugh Spelling Book	.40	Lewis and Rowland Silent 5th	.71
GEOGRAPHY		New Geographical Reader, North America	.87
Basal		Stories of Old Europe and Young America	.87
McMurry - Parkins, Elementary Geography	1.12	Searson and Martin Fifth	.74
HISTORY		GEOGRAPHY	
Basal		*Basal*	
Beginners History of Our Country	.60	Brigham and MacFarlane Essentials of Geography I	1.21
WRITING		*Supplementary*	
Basal		Carpenter's Geographical Readers, Europe, Africa, Asia	.87
Graves' Muscular Writing	.09	HEALTH	
LANGUAGE		*Basal*	
Basal		Health for Every Day	.60
McFadden Language and Composition, Min. Course	.60	MUSIC	
MUSIC		*Basal*	
Basal		Progressive Music Series One Book Course	.66
Rural Song Book	.27	DRAWING Basal	
DRAWING		Industrial and Applied Arts, V	.21
Basal		WRITING *Basal*	
Modern Arts Course V	.20	Graves' Muscular Writing	.09
DICTIONARY		FORESTRY *Basal*	
Concise Standard Dictionary	.75	Our Trees and How They Serve Us	.73
		ARITHMETIC *Basal*	
		New School Arithmetic, Bk. I	.57
		SPELLING *Basal*	
		Mastery of Words	.39
		LANGUAGE *Basal*	
		Modern Course in English, Bk. I	.43

SIXTH GRADE

ALABAMA	
AGRICULTURE *Basal*	
Agriculture for Southern Schools	.85
ARITHMETIC *Basal*	
Alexander-Sarratt Intermediate Arithmetic	.65
DRAWING *Basal*	
Industrial and Applied Art Book VI	.24
CIVICS *Basal*	
Preparing for the World's Work	.96
CONSERVATION *Basal*	
Elements of Conservation, Harris	.75
DICTIONARY *Basal*	
Elementary School Dictionary	1.14
GEOGRAPHY *Basal*	
McMurry - Parkins Elementary Geography	1.08
Carpenter New Europe	.95
HISTORY *Basal*	
Harding, Old World Background to American History	.83
HEALTH *Basal*	
Emerson Betts Physiology and Hygiene II	.84
LANGUAGE *Basal*	
Oral and Written II	.49
READING *Basal*	
Bolenius Sixth Reader	.83
New Elson Sixth Reader	.72
Lewis and Rowland Sixth Silent Reader	.76
SPELLING *Basal*	
Mastery of Words	.42
WRITING *Basal*	
Palmer Method Writing	.20
Suggested Supplementary	
CIVICS	
Good Manners and Right Conduct, Book I	.66
GEOGRAPHY	
Notebook I	.38
HISTORY	
Students Guide for Background to American History	.46
HEALTH	
Haviland, Modern Physiology Hygiene and Health	.86
READING	
Robin Hood	.78

NORTH CAROLINA	
READING *Basal*	
Studies in Reading	.74
Supplementary	
Reading Literature VI	.63
Hiawatha Reader	.48
The Silent Sixth Reader	.60
LANGUAGE *Basal*	
Good English, Book III	.59
SPELLING *Basal*	
Mastery of Words II	.32
WRITING *Basal*	
Zaner Writing Method Book VI	.09
DRAWING *Basal*	
Industrial Arts III	.36
MUSIC *Basal*	
Progressive Music Series III	.76
HISTORY *Basal*	
A Young People's History of North Carolina, One-half-year	.80
Our Ancestors in Europe, One-half Year	1.05
Supplementary	
Great Inventors and Their Inventions	.60
History Stories of Other Lands, Book V	.69
Makers of N. C. History	.75
CIVICS *Basal*	
Elementary Community Civics	.84
Supplementary	
A Dutch Boy Fifty Yrs. After	.80
GEOGRAPHY *Basal*	
Essentials of Geography, Bk. II	1.87
Supplementary	
Around the World Series, Book V	.75
The Merrill Geographical Readers, VI	.70
Human Geography, Bk I	1.06
HEALTH. *Basal*	
Health living, Book II	.96
ARITHMETIC	
Basal	
School Arithmetic Bk. II	.75
Supplementary	
Everyday Arithmetic	.36
AGRICULTURE	
Supplementary	
Our Bird Book	1.00

SIXTH GRADE

SOUTH CAROLINA	
READING	
Basal	
Nw Elson Reader	.72
Supplementary	
Howe Sixth Reader	.79
Studies in Reading, VI	.74
Story Hour Readers VI	.84
Bolenius Sixth	.87
SPELLING	
Basal	
Mastery of Words II	.38
LANGUAGE	
Basal	
The English Language, Book Two	.55
ARITHMETIC	
Basal	
Modern Advanced Arithmetic	.80
HISTORY	
Basal	
History of South Carolina	.90
CIVICS	
Optional	
McCarthy, Swann and McMullen Elementary Civics-Supple	.75
DOMESTIC SCIENCE	
Basal	
Elementary Home Economics	1.40
AGRICULTURE	
Basal	
Benson and Betts Agriculture	.86
GEOGRAPHY	
Basal	
Essentials of Geography, Book II with Supplement	1.87
HEALTH	
Basal	
Primer of Sanitation and Physiology	.88
WRITING	
Basal	
Practical Writing VI	.10
DRAWING	
Basal	
Practical Drawing VI	.20
MUSIC	
Basal	
Hollis Dann Sixth Year Music Course	.69

FLORIDA	
READING	
Basal	
Literary World Sixth Reader	.86
Supplementary	
Every Day Classics VI	.69
Silent Sixth	.78
Favorite Stories VI	.75
Good Manners and Right Conduct I	.66
LANGUAGE	
Basal	
Elson Good English II	.55
SPELLING	
Basal	
Mastery of Words II	.38
ARITHMETIC	
Basal	
Essentials of Arithmetic	.69
HEALTH	
Basal	
Primer of Hygiene	.48
HISTORY	
Basal	
American Beginnings in Europe	1.05
GEOGRAPHY	
Basal	
Frye's Higher Geography with supplement	1.62
WRITING	
Basal	
Graves Muscular Writing	.09
DRAWING	
Basal	
Industrial Arts	.36
DICTIONARY	
Basal	
Winston's Simplified Dictionary	1.20

SIXTH GRADE

GEORGIA	
READING	
Basal	
Elson Sixth Reader	.72
Secondary Basal	
Riverside Sixth Reader	.68
Wheeler's Literary Sixth Reader	.80
Literary World Sixth Reader	.86
WRITING	
Basal	
Zaner-Blosser No. 6	.20
ARITHMETIC	
Basal	
Wentworth - Smith Intermediate Book	.60
LANGUAGE	
Basal	
Modern Course in English, Book II	.60
HISTORY	
Basal	
First Lessons in Georgia History, Evans	.80
CIVICS	
Basal	
Old Europe and Young America	.90
SPELLING	
Basal	
Mastery of Words, Bk. II	.32
GEOGRAPHY	
Basal	
Brigham and MacFarline, Book II	1.87
HEALTH	
Basal	
Primer of Hygiene and Sanitation	.75
AGRICULTURE	
Basal	
Benson and Betts	.86

MISSISSIPPI	
READING	
Basal	
Bolton's Our State	.80
Harris, Elements of Conservation	.75
AGRICULTURE	
Basal	
Burkett, Stevens & Hill	1.02
LANGUAGE	
Basal	
Good English, Bk. II	.55
ARITHMETIC	
Basal	
Smith's Progressive, Intermediate	.49
GEOGRAPHY	
Basal	
McMurry-Parkins Advanced Geography	1.43
SPELLING	
Basal	
Bailey's Essential Words, Book II	.35
WRITING	
Basal	
Practical Writing VI	.10

SIXTH GRADE

LOUISIANA	
READING	
Basal	
Bolenius Sixth Reader	.87
Supplementary	
The Winston Silent 6th Reader	.63
Howe Sixth	.58
Every Day Classics VI	.63
Story Hour Sixth	.66
ARITHMETIC	
Basal	
Wentworth - Smith Bk. II	.64
SPELLING	
Basal	
Horn Asbaugh Spelling	.40
GEOGRAPHY	
Basal	
McMurry-Parkins Advanced Geography	1.43
HISTORY	
Basal	
History of Louisiana	.95
WRITING	
Basal	
Graves Muscular Writing	.09
LANGUAGE	
Basal	
McFadden Language and Composition, Maximum Course	.70
CIVICS	
Basal	
Our Community	.65
MUSIC	
Basal	
Rural Song Book	.27
DRAWING	
Basal	
Practical Drawing VI	.20
DICTIONARY	
Basal	
Concise Dictionary	.75

TENNESSEE	
READING *Basal*	
Elson Sixth Reader	.72
Supplementary	
Baker Thorndyke Sixth	.69
Barnes Sixth	.83
Bolenius Sixth	.86
Crane and Wheeler 6th	.83
F. A. Owen Classics	.18
Lewis and Rowland Silent Sixth	.71
New Geographical, S. A.	.87
Old Tales Retold	.61
Old Testament Reader	1.08
Searson and Martin 6th	.74
Tennessee Sixth	.74
LANGUAGE *Basal*	
Applied English Grammar	.79
Supplementary	
Modern Course in Eng. II	.60
WRITING *Basal*	
Graves Muscular VI	.09
HISTORY *Basal*	
Thompson's U. S. History First Book	.74
Supplementary	
Mace's Elementary History	.80
Mace Tanner's Old Europe and Young America	.80
ARITHMETIC *Basal*	
Jones and Rogers, New School Arithmetic, Bk. II	.66
SPELLING *Basal*	
Mastery of Words	.39
DRAWING	
Basal	
Industrial and Applied Arts, VI	.21
HEALTH	
Basal	
Health for Home and Neighborhood	.72
GEOGRAPHY	
Basal	
Brigham and MacFarlane Essentials of Geog. II	1.70
Supplementary	
Carpenters Geographical Readers, North America	.87
MUSIC *Basal*	
Progressive Music Series One Book Course	.66

SEVENTH GRADE

ALABAMA	
ENGLISH	
Basal	
Buhlig, Junior Eng. I	.86
Jr. High School Literature	1.21
GEOGRAPHY	
Basal	
McMurry-Parkins Advanced Geography	1.43
HISTORY	
Basal	
Mace - Petrie American School History	1.25
ARITHMETIC	
Basal	
Modern Mathematics I	.70
HEALTH	
Basal	
Haviland, Modern Physiology and Hygiene	.80
SCIENCE	
Basal	
Hunter - -Whitman Civic Science	1.52
Hunter - Whitman Civic Science Manual	1.14
CIVICS	
Basal	
Our Community and Its Occupations	.70
LANGUAGE-FOREIGN	
Basal	
Introduction to Latin Part I	.75
or First French Book	.94
or Practical Spanish	1.39
MUSIC	
Basal	
Intermediate Music I	.79
Gray Book of Songs	.15
Supplementary	
READING	
Green, American Ideals Book VI	.86

NORTH CAROLINA	
READING *Basal*	
Studies in Reading VII	.78
Supplementary	
The Man Without a Country	.38
The Silent Reader	.64
Courtship of Miles Standish	.21
Irving's Sketch Book	.42
LANGUAGE *Basal*	
Good English, Book III	.59
SPELLING *Basal*	
Mastery of Words, II	.32
WRITING *Basal*	
Zaner Writing Method, VII	.09
DRAWING *Basal*	
Industrial Arts	.36
MUSIC *Basal*	
Progressive Music Series, Book IV	1.00
HISTORY *Basal*	
A History of the People of the United States	1.05
Supplementary	
History Stories of Other Lands, Book 6	.69
Life of Robert E. Lee	1.23
Women in American History	.75
Jackson's Life of Booker T. Washington (for Negro schools)	.90
CIVICS	
Basal	
Elementary Community Civics	1.12
GEOGRAPHY	
Basal	
Essentials of Geography II	1.87
Supplementary	
Human Geography I	1.06
HEALTH	
Basal	
Healthy Living II	.96
ARITHMETIC	
Basal	
School Arithmetic II	.75
Supplementary	
Everyday Arithmetic	.36
SCIENCE	
Basal	
Studies in Elementary Science	1.00
Supplementary	
Our Bird Book	1.00

SEVENTH GRADE

SOUTH CAROLINA	
READING	
Basal	
New Elson Reader VII	.83
Supplementary	
Howe Readers VII	.79
Studies in Reading VII	.79
Story Hour Readers	.88
SPELLING	
Basal	
Mastery of Words II	.38
LANGUAGE	
Basal	
The English Language II	.55
ARITHMETIC	
Basal	
The English Language II	.55
Modern Advanced Arithmetic, Smith's	.80
HISTORY	
Basal	
History of the United States	.90
GEOGRAPHY	
Basal	
Brigham's - MacFarlane's Essentials of Geography	1.87
HEALTH	
Basal	
Primer of Sanitation and Physiology	.88
CIVICS	
Basal	
Our America with S. C. Supplement	1.00
DOMESTIC SCIENCE	
Basal	
Elementary Home Economics	1.40
AGRICULTURE	
Basal	
Emerson and Betts Agriculture	.86
WRITING	
Basal	
Practical Writing VII	.10
DRAWING	
Basal	
Practical Drawing VII	.20
MUSIC	
Basal	
Hollis Dann Music Course	.95

FLORIDA	
READING	
Basal	
Literary World VII	.86
Supplementary	
Every Day Classics VII	.73
Silent Readers VII	.80
CIVICS	
Basal	
Good Manners and Right Conduct II	.66
LANGUAGE	
Basal	
Elson, Good English III	.59
SPELLING	
Basal	
Mastery of Words II	.38
ARITHMETIC	
Basal	
Hamilton, Essentials of Arithmetic	.76
HEALTH	
Primer of Sanitation	.60
HISTORY	
Basal	
History of the People of the United States	1.15
GEOGRAPHY	
Basal	
Frye's Higher Geography	1.62
WRITING	
Basal	
Graves' Muscular Writing	.09
DRAWING	
Basal	
Industrial Arts	.36
DICTIONARY	
Winston's Simplified Dictionary	1.20

SEVENTH GRADE

GEORGIA	
READING	
Basal	
Elson Seventh Reader	.83
Secondary Basal	
Riverside Seventh Reader	.68
Wheeler's Literary 7th	.80
Literary World	.86
WRITING	
Basal	
Zaner-Blosser Writing Method VII	.20
ARITHMETIC	
Basal	
Wentworth Smith Advanced Arithmetic	.64
LANGUAGE	
Basal	
Modern Course in English II	.60
HISTORY	
Basal	
History of the People of the United States	1.10
SPELLING	
Basal	
Mastery of Words II	.32
GEOGRAPHY	
Basal	
Brigham and MacFarlane's Geography II	1.87
HEALTH	
Basal	
Winslows Healthy Living	.92

MISSISSIPPI	
HISTORY	
Basal	
Wan't Mississippi History	1.00
HEALTH	
Basal	
Winsolw's Healthy Living II	.92
LANGUAGE	
Basal	
Elson-Marsh-Roysters Good English III	.59
HISTORY	
Basal	
Mace - Petrie American School History	1.25
GEOGRAPHY	
Basal	
McMurry-Parkins Advanced Geography	1.43
SPELLING	
Basal	
Baileys Essential Words	.35
WRITING	
Basal	
Practical Writing VI	.10

SEVENTH GRADE

LOUISIANA

READING
Basal
Bolenius Seventh Reader ..... .72
Supplementary
The Winston Seventh Silent Reader ..... .63
Every Day Classics ..... .66
Story Hour Readers ..... .69
ARITHMETIC
Basal
Wentworth - Smith Arithmetic III ..... .75
SPELLING
Basal
Horn Ashbough Spelling Book ..... .40
GEOGRAPHY
Basal
McMurry-Parkins Advanced Geography 1.43
HISTORY
Basal
American History 1.15
HEALTH
Basal
Primer of Sanitation ..... .88
LANGUAGE
Basal
McFadden, Language and Composition, Maximum Course ..... .70
MUSIC
Basal
Rural Song Book ..... .27

TENNESSEE

READING
Basal
Elson Seventh Reader ..... .83
Supplementary
Baker Thorndyke 7th ..... .76
Barnes Seventh ..... .97
Crane and Wheeler 7th ..... .83
F. A. Owens Classics ..... .18
New Geographical Reader Europe ..... .87
Searson and Martin 7th ..... .78
WRITING
Basal
Graves Muscular Writing ..... .09
ARITHMETIC
Basal
Jones and Rogers New School Arithmetic ..... .66
Supplementary
Everyday Arithmetic ..... .35
HISTORY
Basal
McGee's History of Tenn., one-half year ..... .87
Seates School History of Tenn., one-half year ..... .83
CIVICS
Basal
Elementary Community Civics, with Supplement, one-half year 1.03
Common Sense of the Constitution, 1-2 year ..... .52
SPELLING
Basal
Mastery of Words II ..... .39
GEOGRAPHY
Basal
Brigham - MacFarlane's Geography II 1.70
Supplementary
Carpenter's Geog. Readers Europe, S. A. each ..... .87
LANGUAGE
Basal
Applied Eng. Grammar ..... .79
DRAWING
Basal
Industrial and Applied Arts VII ..... .21
MUSIC
Basal
Progressive Music Series ..... .66

SUGGESTED CHANGES IN TEXT BOOKS

ELEMENTARY SCHOOLS

First Grade

	Yes	No
Eliminate:		
The Silent Reading Hour, First Reader	15	5
One other Reader	10	10
One primer	11	11

Second Grade

Eliminate:		
The Silent Reading Hour, Second Reader	12	6
One other reader	8	10

Third Grade

Eliminate:		
One basal reader	12	5
Substitute:		
The Silent Reading Hour, Second Reader for The Silent Reading Hour, Third Reader (3rd Reader considered too hard for the grade	18	3

Fourth Grade

Eliminate:		
One basal reader	9	9
Substitute:		
The Silent Reading Hour, Third Reader for Lewis & Rowland Silent Fourth Reader	15	4

Fifth Grade

Eliminate:		
One basal reader	14	7
Substitute:		
Lewis & Rowland Silent Fourth for Silent Fifth Reader	15	3
Change English at end of adoption	11	3

Sixth Grade

Eliminate:		
One basal Reader	16	4
Agriculture for Southern Schools	13	4
Preparing for the World's Work	12	6
Substitute:		
Lewis & Rowland Silent Fifth Reader for Lewis & Rowland Silent 6th Reader	12	5
All supplementary work used in elementary grades to be supplied from libraries or other sources	7	

JUNIOR HIGH SCHOOL

First Year

	Yes	No
Eliminate:		
Our Community and Its Occupations	23	5
Civic Science Manual	26	3
Civic Science in Home and Community (To be used second year)	30	1
Add Spelling Book to be used 3 years	36	1

Second Year

Eliminate:		
Community Civics and Rural Life or Community Civics for City Schools	18	9
Civic Science Manual	21	9
Change English at end of adoption	27	6

Third Year

Eliminate:		
Lord, Rational Arithmetic	23	10
20th Century Bookkeeping and Accounting. (Use in Sr. High)	33	2
20th Century Bookkeeping and Accounting, Students Outfit, Practice Set	33	2
Commercial and Industrial Geography	18	9
Change English at end of adoption	28	6
Change Algebra at end of adoption	23	8

SENIOR HIGH SCHOOL

First Year

Eliminate:		
Laboratory Manual in Biology (Place on Teachers desk)	23	5
Southern Field Crops (In industrial centers and city schools)	34	1
Change English at end of adoption	19	8
Change Plane Geometry at end of adoption	16	16
Optional:		
Victory Historical Map and Outline Book for Early European History	22	3

Second Year

Eliminate:		
Bays, Business Law	15	12

Third Year

Eliminate:		
Animal Husband (In cities and industrial centers)	30	0
Optional:		
Victory Historical Map and Outline Book for American History	24	2

COMMITTEE REPORTS

On motion of Mr. Walker, the reading of the foregoing report from the Recess Committee on Text Books was dispensed with and said report ordered spread upon the Journal.

THE STATE OF ALABAMA
LEGISLATURE OF 1927
REPORT OF RECESS JUDICIARY COMMITTEE

State Capitol,
Montgomery, Alabama.

To the Legislature of Alabama:

We, your Recess Committee on Judiciary, respectfully submit the following report of our work.

After the organization of the Committee, a questionnaire was sent to the Bench and Bar and Press of Alabama, seeking information upon matters which the Committee deemed important for its consideration. A copy of said questionnaire, with the letter which accompanied the same, is attached to this report and marked "Exhibit A."

The Committee received some five hundred replies, mostly in writing, and mostly from members of the bench and bar. These answers are being filed in the Department of Archives and History for future reference by those interested in the various subjects discussed.

A great many matters have been brought to the attention of the Committee, and sometimes accompanied by proposed bills, not included in the questionnaire, and many valuable recommendations have been made to the Committee by the bench and bar, for which we are duly grateful.

I. JURIES. Your Committee recommend that the State and the defendant have an equal number of strikes in criminal and quasi-criminal cases; and a bill has been prepared to that end. A minority report on this subject has been made, and is attached to this report marked "Exhibit B."

The Committee found against the proposition of less than unanimous verdicts.

No change has been recommended in the manner of selecting juries; except where venires are exhausted it is recommended that the judge fix the number to be drawn and summoned in accordance with the law; and the statute is amended to that effect.

The Committee have found that many jury commissioners do not place in the jury box the names of all persons qualified under the law for jury service, and we recommend that the jury commissioners of the several counties be more diligent and careful, to the end that all citizens of the county possessing the prescribed qualifications have the priivlege and perform the duties of jury service; and to that end the Code is amended so as to make it mandatory that this be done. This will make for a more wholesome respect for the courts and the jury system and for better citizenship.

2. PLEADINGS. Your Committee find that our present system of pleadings, and the settling of the pleadings in the courts, while not all that might be desired, is sufficient. The forms of indictments and of criminal procedure, and the forms of complaints and of pleas and of civil procedure which appear in the Code can scarcely be improved upon; and, inasmuch as the bench and bar are familiar therewith, it is probably best not to disturb them.

3. APPEALS. Your Committee have spent much time and labor in the consideration of speeding up the final determination of both criminal and civil litigation, and particularly to cutting out delays between the time of commission of crime and its final adjudication in the courts, and to ths end we have made some changes on the subject of appeals.

(a) We recommend that the reporter's transcript be made the bill of exceptions, and a bill has been prepared putting that recommendation into practical application.

(b) Your Committee recommend that the time for presenting all bills of exception, in both civil and criminal cases, be fixed at forty-five (45) days; and that the time in which bills of exception shall be approved by the trial court be fixed at thirty (30) days; and bills have been drawn to this end.

(c) Your Committee recommends that the appellate court having jurisdiction of criminal and quasi-criminal cases on appeal shall call the docket once each sixty (60) days during term time for the submission of criminal cases over the entire State. Bills have been drawn covering these subject-matters.

(d) We recommend that the transcript to the Supreme Court on all appeals must be filed within thirty (30) days from the completion of the transcript by the clerk; and a bill has been prepared to that end.

4. TRIALS. Your Committee recommends only three changes in this respect.

(a) That, in order to put the trial court in error when an objection is sustained to a question propounded to a witness, it shall not be necessary to state the substance which it is thereby intended to prove, unless required by the court.

(b) It shall not be necessary, in order to put the court in error, to move to exclude the answer of a witness, where the court overrules an objection to the question, if the answer is responsive to the question.

(c) That severance, as a matter of right, in misdemeanor cases, be denied; and all matters of severance in such cases be within the discretion of the trial court; and a bill has been prepared to this end.

5. SOLICITORS. Your Committee is of the opinion that all circuit solicitors should be taken out of civil and equity practice and required to devote all their time to the investigation and prosecution of crime. We find that, in order to reach that end, the salaries of the circuit solicitors would have to be materially increased, and further find that the State would have to be re-circuited into two, or more, judge circuits in order to occupy the full time of a competent solictor. The Committee found that this would be impracticable, if not impossible, at this time, inasmuch as it would result in displacing some of the judges and solicitors. The term of office of judges and solicitors will expire at the same time, eight years from now; and we recommend that the next Legislature re-circuit the State into two or more judge circuits, and that the solicitors be required thereafter to devote their full time to the business of the State. Another reason for this recommendation is that we find that the work done by the several judges is greatly disproportionate. A few are over-worked, and many are under-worked. We find some complaint of crowded dockets, and two counties—Madison and Covington—have bills pending in the Legislature to create separate circuits for these counties. The cost of maintaining circuit courts in these counties alone would be too great; but we do find that these two counties need some relief. Some further statements will be made under the subject of "Courts" pertinent to this question.

Your Committee have seen fit to recommend that all solicitors, county solicitors, deputy solicitors, and their law partners, be prevented from engaging in certain litigation, to-wit: (a) That they shall not engage in the trial of any divorce case; (b) that they shall not engage in the trial of any civil cause founded upon, growing out of, or involving, any criminal charge or the violation of any criminal law. And bills have been drawn in accordance therewith.

Circuit soliictors have had a recent raise in salary. County solicitors are, in most cases, not receiving sufficient compensation, and inasmuch as they are taken out of the above classes of civil and equity practices, the Committee have recommended certain increases in their salaries, and a bill has been drawn to that end.

We have decided that no solicitor, county solicitor or deputy solicitor should be permitted to defend any criminal case in any court in the State, and we submit a bill to that effect.

6. CIRCUIT COURTS. We refer to certain statements made relative to courts in paragraph 5 hereof, and in addition thereto state as follows:

Your Committee recommend that the circuit judges call the dockets for the trial of criminal cases in the several counties four times per year.

We recommend that the salaries of the circuit judges be set and fixed at five thousand dollars ($5,000) per year, and that they be allowed their actual expenses incurred in holding court in counties other than the counties of their residences, not to exceed five hundred dollars ($500.00) per year; and bills have been drawn to that effect.

Your Committee have found two grave complaints against the conduct of the circuit courts:

(a) That the judges neglect their equity dockets.

(b) That the judges do not give to the counties other than the counties of their residences the necessary time and attention in disposing of the business of the courts. We find that the dockets are congested more in non-resident counties. And these facts have led the Committee to the conclusion that the above expense account should be allowed, hoping that it will serve to remedy these conditions.

Your Committee do not want to be understood as being critical of the present judges of the courts. They are industrious, intelligent and conscientious. But they are human.

We find that congested condition, in counties where such conditions obtain, is largely due to the fact that such counties have no misdemeanor courts and the circuit court dockets are burdened with minor misdemeanor cases.

7. APPELLATE COURTS. Your Committee have seriously considered the situation and practical operation of the Supreme Court and the Court of Appeals. We are of the opinion that the Court of Appeals should not be abolished, and that the membership of the Supreme Court should not be increased. Your Committee recommend that the Court of Appeals be given final and exclusive jurisdiction in criminal, quasi-criminal, habeas corpus, and extraordinary remedies affecting criminal cases. Provided, however, that in capital cases where the death penalty or imprisonment for life is imposed, the Supreme Court may review the opinion and judgment of the Court of Appeals by a writ of error. And that, where the validity of a statute is involved, or a Constitutional question raised, the court may certify such questions to the Supreme Court, or the litigant may invoke review by the Supreme Court. Bills to this effect have been drawn and recommended. As stated above, the Court of Appeals will be required to call their docket for the submission of cases from all the counties of the State once each sixty (60) days during term time.

We recommend that the judges of the Court of Appeals be paid an annual salary of six thousand five hundred dollars ($6500) per year.

Your Committee recommend that the salaries of the chief justice and associate justices of the Supreme Court be set and fixed at the sum of Seventy-five hundred dollars ($7500) per year.

The Committee desire to render their thanks to the Justices of the Supreme Court, and the Judges of the Court of Appeals for their assistance in furnishing information to this Committee.

The above-stated provisions relative to said courts will speed up the submission and consideration of criminal and quasi-criminal cases, and will relieve the much-complained-of rule of certiorari, and relieve some friction and lost motion in allotment of cases and complications that arise therefrom. It will not make possible conflicting lines of opinion, for the reason that the jurisdiction of the two courts will be independent.

Bills have been drawn that carry these provisions into effect.

8. SENTENCES. Your Committee are of the opinion that no change should be made in our general rule of indeterminate sentences, or of fixing punishment in the minor felonies.

Your Committee recommend that it be made a felony where the evidence shows that the defendant has in his possession five (5) gallons or more of the prohibited liquors or beverages and a bill has been prepared to that end.

Some features of the Baumes law have been recommended, to the end that professional criminals may be dealt with severely; and a bill has been drawn and recommended to this end.

9. WORKMEN'S COMPENSATION ACT. Your Committee have spent considerable time and thought upon this subject, reaching the following conclusions, which have been embodied in a bill amendatory of the Workmen's Compensation Act or the pertient sections of the Code dealing with that subject:

(a) That the waiting period be reduced to and fixed at seven (7) days.

(b) That medical and hospital expenses be raised to and fixed at two hundred dollars ($200).

(c) That the basic rate of compensation be fixed at sixty per cent (60%) of the average weekly earnings of the injured party, not to exceed

($12) per week; provided, however, that each dependent child under the age of (18) years shall increase the primary maximum two dollars ($2) per week, and not to exceed the total maximum of eighteen dollars ($18) per week.

(d) That the injured party does not have to obtain permission from the court to employ attorneys; that the attorney's fees in non-litigated cases shall not exceed ten per cent (10%) of the compensation, the same to be charged against the injured party; in litigated cases the atorney's fees shall not exceed twenty per cent (20%) of the compensation recovered, the additional ten per cent (10%) of which shall be taxed against the party responsible for the litigation, and in the sound discretion of the court.

(e) The maximum in death cases is raised from five thousand dollars to six thousand dollars.

(f) The rate of compensation payable to dependents in death cases has been raised commensurate with the compensation in cases of injury.

10. UNIFORMITY OF LAWS. Your Committee recommend that a bill be passed creating a commission on uniformity of laws similar to the commissions existing in other States, and to that end have recommended the proper bill. We have also recommended for passage the Uniform Bills-of-Lading Law, the Uniform Extradition Law, and the Uniform Sales Law. Proper bills have been recommended.

It is the sense of your Committee that the encouragement of the adoption of uniform laws is important; and the Committee wishes here to tender to the Honorable Henry Upson Sims their thanks for his uniform kindness and valuable assistance to the Committee in our efforts along these lines.

11. DIVORCE. Other than the recommendation of the Committee relative to solicitors engaging in divorce practice, the Committee recommend only one change, and that in regard to alimony. We recommend that where a divorce is granted it be not mandatory upon the courts to provide alimony out of the estate of the husband, but that it be within the sound discretion of the trial court, and to that end a bill has been recommended amending the pertinent section of the Code, changing the word "must" to "may."

13. HOUSE AND SENATE BILLS. Your Committee have given consideration to all bills pending before the Judiciary Committee of the House and all bills pending before the Judiciary Committee of the Senate, and have given favorable recommendation to certain of the bills and unfavorable recommendation to others. These bills deal premiscuously with such general subjects as usually come before the Judiciary Committees of the House and Senate, and do not call for special mention in this report. Some of the pending bills deal with some of the subject-matters which are reported herein.

Your Committee have considered a number of matters constituting independent bills, amendatory bills, and revisionary bills, the most important of which are as follows:

14. Your Committee made investigation of certain departments of the State Government which touch the investigation of crime and the enforcement of law- to-wit: The Law Enforcement Department, the Attorney General's Department, and the activities of the Executive Department, under Article X of Chapter 25 of the Code. The law provides that the Governor may employ not exceeding thirty men in the Law Enforcement Department, We find that there is a force of thirty-five men employed, and, apparently, the five extra men are employed by virtue of said Article X of the Code. This article deals solely with calling out police and employing men in cases of riot and such extraordinary occurrences, and was never intended by the Legislature as authority to maintain a standing constabulary. It seems that some of these men are now being carried as a part of the Attorney General's force and being paid out of the Atorney General's Fund. Much money is now being expended in what has been called "under-cover" work, and at the present time the Law Enforcement Department, the Attorney General's Office, and the Governor's office are spending at the rate of about

$140,000.00 per year in the name of "Law Enforcement" and "Under-cover Work."

This Committee is not in sympathy with a costly system of espionage, and, to that end, has limited the expenditures of the Attorney General's Office by proposed bill to seventy-five hundred dollars ($7500.00) per year as against the former unlimited expenditures.

We find that the Law Enforcement Department has been employing thirty-five to thirty-nine men, whereas it could legally employ but thirty, and that it has not only exhausted annually the $100,000.00 per year appropriated for its maintenance, but has exhausted the prohibition fund, and has drawn and is drawing heavily on the unlimited Attorney General's fund. The Attorney General is spending in the spy system operated from his office about the rate of $1400.00 per month, and these warrants are all drawn payable to the Attorney General.

This Committee does not want to be critical of any of the personnel of these departments, and is not unsympathetic with enforcement of law. What we are criticising is the enormous expenditure of money, the strained construction of statutes, and the juggling of accounts against the different funds in order to get and spend more money than is contemplated by law.

This Committee has not dealt with, and does not undertake to express itself, on the wisdom *vel non* of the existence and operation of the Law Enforcement Department. But we do condemn the overlapping jurisdiction of law enforcement officers, and the web-like spread of a spy system over our people.

15. Your Committee has found that in many sections of the State prosecutions for violations of the statutes against theft, embezzlement, false pretenses, breach of trust, and kindred offenses, have been handicapped by the fear of damage suits resulting in cases of acquittal, and we have, therefore prepared and recommend for passage a bill providing, in effect, that where prosecution in such cases is begun on the written recommendation of a prosecuting officer or by a grand jury indictment, no suit for damages for malicious prosecution shall be maintained.

16. Your Committee has recommended some wholesome changes in the arson law, and in the perjury law, which appear in the bills recommended by us on these subjects.

17. Your Committee has recommended a bill providing, in substance, that public officials in Alabama who have had to do with the prosecution of any criminal shall not accept compensation to procure his pardon or parole, and the bill provides adequate penalty for the violation of the statute.

18. Your Committee has recommended several bills making more severe the statutes against violations of the prohibition laws, to-wit:

(a) A bill making it a felony to possess, et cetera, five or more gallons of the prohibited liquors.

(b) A bill to authorize the seizure and sale of automobiles containing prohibited liquors, although not proven to have transported said liquors.

(c) A bill to include horse, mule, or other animal in the contraband class.

(d) A bill to provide more severe punishment on the second and subsequent violation of the prohibition law.

19. Bills have been recommended and are under process of preparation, dealing with inmates of the Insane Hospital and the Home for the Feeble Minded, on the subject of sterilization.

20. Your Committee has recommended a bill providing that severance in misdemeanor cases may be had upon application to the court only, to be granted or denied within the sound discretion of the court.

21. A bill is recommended requiring the clerks of the circuit court to resummon witnesses in criminal cases, thereby preventing in many cases improper delays by continuance.

22. A bill has been recommended providing for the sale in certain cases of homesteads for the education of the children of a deecased person, and bills amending the pertinent statutes to that end.

23. Your Committee has carefully considered the salaries of the clerk and secretarial forces of the Supreme Court and the Court of Appeals, and has made certain adjustments and increases in the salaries of these forces. This is also true of the Supreme Court and Court of Appeals Reporter.

24. Your Committee has found that, under the direction of the Legislature of 1923, the Code Commissioner sectionized and made a part of the Code, under appropriate title, most of the Acts of the Legislature of 1923, which were passed after July 10th, 1923, which constituted the general laws. These sections of the Code have not been legally adopted and are not legal expressions of the law, but were placed in the Code for the convenience of the bench and bar. Your Committee has, therefore, drawn a bill and recommend its passage legalizing all sections of the Code as now existing in the four volumes of the Code of 1923, which have not been repealed or modified.

Without criticism upon the Honorable James J. Mayfield, deceased, but with expressions of love and high respect your Committee finds that the index to the Code is not all it should be, and we, therefore, recommend that a committee of the Legislature be raised to deal with the subject-mater of re-indexing the Code or having the same done.

25. Numerous bills have been written and recommended for passage dealing with curative matters and correction of substantive law, as well as administrative law, which does not call for special mention in this report.

Your Committee has not always been of the same mind on the many questions considered, and the members of the Committee, although they signed this report, which embodies the majority action of the Committee, do not feel themselves bound to support on the floor of the House and Senate all the measures recommended.

We, therefore, respectfully submit this report, this the sixth day of June A. D., 1927.

Travis Williams,
Chairman.

Oliver Young,
L. H. Ellis,
J. M. Bonner,
(On the part of the Senate).
James A. Simpson,
Vice-Chairman.
L. A. Sanderson,
Paul O. Luck,
W. T. Starnes,
Marion Richard Vickers,
Guy W. Winn,
Robt. B. Harwood,
D. T. Ware,
(On the part of the House).
W. C. Davis,
Lieutenant-Governor.

March 4th 1927.

My Dear Sir:

You will find enclosed copy of questionnaire sent out to the Bench and Bar of Alabama. It is the purpose of the Recess Judiciary Committee to find if the courts can be made more efficient, costs of administration reduced. and final determination of litigation speeded up. Time elapsing between the commission of crime and final adjudication and punishment should be shortened. All this must be accomplished, if at all, without the sacrifice of judicial prestige or loss of respect for our courts.

We invite your assistance to the end that what we do may be of benefit and be consonant not only with the best thought of the Bench and Bar but of the thoughtful layman, public press, and business and industrial interests of the State.

Yours very truly,
Travis Williams,
Chairman.

Enclosure.

(Exhibit A, page 1, Report of Recess Judiciary Committee of both Houses, Alabama Legislature, June 6, 1927.)

Montgomery, Alabama,
March 4, 1927.

To the Bench and Bar of Alabama:

The Recess Judiciary Committee will sit during vacation in the Senate Chamber at Montgomery, beginning March 15th, 1927. You are earnestly requested to give the Committee the benefit of your views on the following matters relating to the Judiciary:

1. Juries. (a) What changes, if any, do you favor in the present jury law? (b) Should the State and defendant have an equal number of strikes in criminal cases? (c) Do you favor unanimous verdicts.

2. PLEADINGS. (a) Do you favor common law pleadings or statutory pleadings: (b) Should the Supreme Court be given authority to prescribe forms of indictments, complaints and pleas? (c) Should all pleadings be settled before the case is set for trial on its merits?

3. APPEALS. (a) Should appeals be denied in cases involving less than one hundred dollars? (b) Within what time should appeals be taken, bills of exceptions tendered, and approved by trial judge? (c) Should reporters' transcript constitute the bills of exceptions? (d) How can the time be shortened between the commission of crime and its final adjudication?

4. TRIALS. (a) Should all instructions of court to jury be in writing? (b) What changes, if any, should be made in court's conduct of cases, especially criminal cases?

5. SOLICITORS. (a) Should solicitors be permitted to practice law, other than representing the State or some of its departments? (b) Should solicitors be required to devote full time to investigation and prosecution of crime (c) What should the salary of solicitor be? (d) Should solicitor be required to file briefs in criminal appeals?

6. CIRCUIT COURTS. (a) Should the Circuits be re-arranged? (b) Should all circuits be two or more judge circuits? (c) How often should criminal dockets be set and called? (d) Are your dockets congested and why? (e) What should be the salary of the circuit judge?

7. APPELLATE COURTS. (a) Should the Court of Appeals be abolished or should it be constituted the Court of Criminal Appeals, or should it be retained as it now exists? (b) Should the number of Supreme Court Justices be increased or decreased? (c) What should be the salaries of the Supreme Court and Court of Appeals members? (d) How often should the divisions be called for the submission of cases?

8. SENTENCES. (a) Should there be any change in the present rule and law of indeterminate sentence? (b) Should the juries fix the punishment in minor felonies?

9. WORKMAN'S COMPENSATION ACT. (a) Should it be repealed, extended, modified, or amended? (b) If so, state reasons.

10. UNIFORMITY. (a) Should there be a State Commission on "Uniformity of Laws" to function with the Alabama Bar Association and National Association? (b) Do you favor encouraging uniformity of laws? (c) If so, what laws?

11. DIVORCE PRACTICE. (a) Do you favor the trial of all divorce cases in open court and the taking of testimony therein *ore tenus?* (b) Should the solicitor be required to appear in all divorce cases as a representative of society? (c) Should newspaper publication be required in all divorce proceedings?

12. Please point out to the Committee all necessary revision of laws or amendment of statutes which you have in mind and submit prepared bills.

Very respectfully,
Travis Williams, Chairman,
Recess Judiciary Committee.

(Exhibit A, page 2, Report of Recess Judiciary Committee of both Houses, Alabama Legislature, June 6, 1927.)

To the Honorable Members of the State Senate and of the Legislature of the State of Alabama:

We, the undersigned members of the Joint Judiciary Recess Committee of the Senate and House of the State of Alabama most respectfully report unto your Honorable bodies, that we firmly and sincerely believe that the State of Alabama in the trial of criminal cases have some advantages accorded it, which in many ways offsets the advantage of the defendant afforded him under section 6841 and 6845 of the Civil Code of Alabama 1923, Volume 4, in regard to strikes in the mode of selecting and empaneling juries in criminal cases and we believe that said sections of the Code and said law as the same now is, is right and just and should not be amended and we respectfully file the foregoing as a minority report of said committee.

L. A. Sanderson,
W. T. Starnes,
D. T. Ware,
Guy W. Winn,
L. H. Ellis,
Paul O. Luck,

(Exhibit B to report of Recess Judiciary Committee of the two Houses, Alabama Legislature, June 6, 1927).

COMMITTEE REPORTS

On motion of Mr. Williams, the reading of the foregoing report from the Recess Committee on Judiciary was dispensed with, and one thousand copies of said report ordered printed for use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Tunstall:

H. J. R. 62. Resolved by the House the Senate concurring, that it is the sense of the two Houses that the Legislature shall continue in session for eighteen (18) Legislative days, and thereupon shall take a recess for such time and to such date as may be fixed by a joint Resolution of the two Houses.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 62, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

RESOLUTION

Mr. Edgar offered the following Joint Resolution:

By Mr. Edgar:

S. J. R. 45. Be it resolved by the Senate, the House concurring, that:

Whereas, it has come to the attention of the Alabama Legislature that the Woodmen of the World, a fraternal insurance society, has definitely decided to remove its national headquarters from Omaha, Nebraska, to some section more nearly in the center of the Woodmen population, and

Whereas it is our belief that Alabama offers an ideal location for such national headquarters,

Therefore be it resolved, First, that his Excellency, Hon. Bibb Graves, Governor of Alabama be and is hereby requested to extend an earnest invitation to the Executive officers of the Woodmen of the World to locate in this State;

Second, that a copy of this resolution be forwarded to Hon. W. A. Fraser, Sovereign Commander of the Woodmen of the World.

Third, that the above shall apply to any fraternal insurance or benefit society contemplating removal from their present home office site to some other state.

And on motion of Mr. Edgar, the rules were suspended and said resolution put upon its immediate passage and adopted.

ADJOURNMENT

At 3:30 P. M., on motion of Mr. Justice, the Senate adjourned until 10 o'clock tomorrow morning.

TWENTIETH DAY

Wednesday, June 8, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Jenkins, Doorkeeper of the Senate.

ROL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young

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JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James (By request):

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the viotion thereof.

Judiciary.

By Mr. Fite:

S. 176. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, and to make it a misdemeanor punishable by fine, for any person, other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to wilfully transport or aid, or abet the transportation of, or the cutting, breaking, injuring, or removal of,

any such trees, bushes, plants, shrubs, or flowers therefrom, without the consent of the owner, or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

Revision of Laws.

By Mr. Fite:

S. 177. To further define and regulate actions of libel and defenses thereto.

Judiciary.

By Mr. Fite:

S. 178. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to willfully transport or aid or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant, or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

Revision of Laws.

By Mr. Fite:

S. 179. To Amend Sections 375, 376, 387, 392. 393, 402 and 403 of the Code of 1923.

Privileges and Elections.

By Mr. Fite:

S. 180. To repeal sections 388 and 394 of the Code of Alabama, 1923.

Privileges and Elections.

By Mr. Ellis (Shelby) (With Notice and Proof):

S. 181. To provide for the manner of the election of the members of the Board of Education for Chilton County, and to prescribe the district from which each member thereof shall be elected and to prescribe their term of office, powers and duties and to provide that one member of such board shall be elected from each said district:

Education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
Chilton County.

Notice is hereby given that at the 1927 Session of the Legislature of Alabama, there will be introduced a Bill seeking the Enactment of a Law,

providing for the manner of the election of the Members of the Board of Education of Chilton County, and to prescribe the District from which each member thereof shall be elected, and to provide for their term of office, powers and duties and to provide that one member of such board shall be elected from each of said Districts, and to provide when said Bill shall become a law, if enacted, which said Bill will be in substance, as follows:

AN ACT

To provide for the manner of the election of the members of the Board of Education for Chilton County, and to prescribe the District from which each member thereof shall be elected and to prescribe their term of office, powers and duties and to provide that one member of such board shall be elected from each of said districts.

Be it Enacted by the Legislature of Alabama:

Section 1. That hereafter and at times and for terms hereinafter set forth, the members of the Board of Education of Chilton County shall be elected as follows. That at the General election in 1928 and each six years thereafter there shall be elected from a district which embraces and is composed of all that territory which constituted on November, 2nd, 1926, Beats or precincts five (5) and ten (10) in said Chilton County one member of such Board and also at said General election in 1928, and each six years thereafter, there shall be elected from a district which embraces and is composed of all that territory which constituted on November, 2nd, 1926, Beats or precincts numbered Six (6), Seven (7), Eight (8), and Fifteen (15), in said Chilton County, one member of said Board. That at the general election to be held in 1930 and each six years thereafter there shall be elected one member of said board, from a District which embraces and is composed of all that territory which constituted on November, 2nd, 1926 Beats or Precincts Number Three (3), Four (4), and Fourteen (14), in said County. That at the General election to be held in 1932, and each six years thereafter, there shall be elected one member of said Board, from a District which embraces and is composed of all that territory which on November 2nd, 1926 constituted Beats or Precincts Numbered Two (2), Nine (9), Eleven (11) and Sixteen (16), in said County, and also a member of said board from a district which embraces and is composed of all that territory which on November 2nd, 1926 constituted Beats or Precincts Numbered One (1), Twelve (12), and Thirteen (13), in said County.

That pending the election of said members as above set forth, the present members shall be members of said Board until their present terms of office, respectively, shall expire and a successor shall be elected as above set forth.

Section 2. That each of members to be elected, as provided by this act, shall at the time of their election, and for one year prior thereto, have been a resident within such district and each of said members shall be elected by the vote of the qualified electors residing within the respective district from which said member of said Board of Education is elected.

Section 3. That each of the members as herein set forth, shall hold office for the terms of six years, and until their successors are elected or qualified.

Section 4. That members of the County Board of Education elected under the provisions of this act, together with the present members, until such time as all of their terms of office shall have expired, shall constitute the County Board of Education of Chilton County, and shall exercise all the powers now or hereafter exercised by other Board of Education in this State.

Section 5. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Section 6. This Act shall become a law upon its approval by the Governor.

THE STATE OF ALABAMA,
Chilton County.

Before me C. O. Jones, a Notary Public in and for said county, in said state, personally appeared Joe M. Holladaye, who being by me first duly sworn deposes and says on oath, as follows: That he is the Editor and Publisher of the Chilton County News, a newspaper published at Clanton, in Chilton County, Alabama; that said Chilton County News, is a weekly newspaper; that the printed notice which is pasted to and attached to this affidavit has been duly published in and appeared in the regular issues of said Chilton County News, once each week for four consecutive weeks, in the issues of the dates as follows: May 12th, 1927, May 19th, 1927, May 26th 1927, and June 2nd 1927; that the proposed Act following said notice appeared in each of said issues of said paper, as the same appears on the one attached hereto.

Joe M. Holladaye,
Editor and Publisher of the Chilton County News.

Sworn to and subscribed before me, this the 7th day of June, 1927.

C. O. Jones,
Notary Public.

S. 182. To extend and re-arrange the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama.

Municipalities and Municipal Organizations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
Chilton County.

Notice is hereby given that at the 1927 session of the Legislature of Alabama a bill will be introduced seeking the enactment of a law, to extend or re-arrange the boundary lines of the corporate limits of the Town of Clanton in Chilton County, Alabama, so as to include in said corporate limits of said Town of Clanton the following described lands to-wit:

All of Sections one (1) and Two, and the North half N½ of Section Eleven (11,) and the North half of Section Twelve (12), and the East half of Section three (3), and the Northeast quarter of Section Ten (10) Township Twenty One (21) Range Fourteen (14), and all of Sections Thirty-five (35) and Thirty-six (36) and the East Half of Section Thirty-four (34), and the South Half of Section Twenty-five (25), and the South half of Section Twenty-six (26), and the Southeast quarter of Section Twenty-seven (27), Township Twenty-two (22), Range Fourteen, and the Southwest quarter of Section Thirty (30), and the West half of Section Thirty-one (31), Township Twenty-two, Range Fifteen, and the West Half of Section Six, and the Northwest quarter of Section Seven (7), Township Twenty-One (21) Range Fifteen (15), Chilton County Alabama, which bill will be in substance as follows:

AN ACT

To extend or re-arrange the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section One:

That the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama be and hereby are extended or re-arranged so as to include within the corporate limits of said Town of Clanton, Chilton County, Alabama the following lands, to-wit:

All of Sections one (1) and Two, and the North Half N.½ of Section Eleven (11), and the North half of Section Twelve (12), and the East half of Section Three (3) and the Northeast quarter of Section Ten (10) Township Twenty-one (21) Range Fourteen, and all of Sections Thirty-five (35) and Thirty-six (36) and the East Half of Section Thirty-four (34), and the South Half of Section Twenty-five (25), and the South half of Section Twenty-six (26), and the Southeast quarter of Section Twenty-seven, Township twenty-two (22), Range Fourteen, and the Southwest quarter of Section Thirty (30), and the West half of Section Thirty-one (31), Township Twenty-two, Range Fifteen and the West half of Section Six, and the Northwest quarter of Section Seven (7), Township Twenty-one (21) Range Fifteen (15), Chilton County, Alabama.

Section Two.

That all laws or parts of laws in conflict with the provisions of this Act be and the same hereby are repealed.

Section Three.

That this Act shall become effective upon its final passage and approval.

THE STATE OF ALABAMA,
Chilton County.

Personally appeared before me C. O. Jones, a Notary Public for said county, in said state Joe M. Holladaye, who being by me first duly sworn deposes and says on oath, as follows: That he is Editor and Publisher of the Chilton County News, a Newspaper published at Clanton, in Chilton County Alabama; that said Chilton County News, is a weekly newspaper; that the printed notice which is pasted to and attached to this affidavit has been duly published in and appeared in the regular issues of said Chilton County News, once each week, for four consecutive weeks, in the issues of the dates, as follows: January 20th 1927, January 27th, 1927, February 3rd 1927, and February 10th, 1927. That said notice appeared in said paper on said dates, together with the proposed act, which follows the same, and which is attached hereto.

Joe M. Holladaye,
Editor and Publisher of the Chilton County News.

Sworn to and subscribed before me this the 6th day of June 1927.

C. O. Jones,
Notary Public.

By Mr. Ellis (Shelby) (With Notice and Proof):

S. 183. To establish a board of revenue for Chilton County, Alabama, to consist of five (5) members, one of which members shall be the Chairman of said Board of Revenue; To divide Chilton County, Alabama, into five (5) Districts to be known as Board of Revenue Districts and define and establish the boundaries thereof; to provide that each of said Districts shall have a

member on said Board; to abolish the Court of County Commissioners of Chilton County, Alabama; to confer upon the Board of Revenue of Chilton County, Alabama, all the powers, authority and jurisdiction now possessed or which may hereafter be possessed by Courts of County Commissioners, Boards of Revenue or other like governing bodies of the several counties of Alabama under the general laws; to provide for a clerk for said board of revenue and to prescribe and fix his duties and compensation; to prescribe the duties, qualifications and compensation of the members of said board; to provide for the election and appointment of the members of said board of revenues and fix their terms of office; to provide the time when this bill or act shall become a law.

With notice and proof thereto attached and herewith exhibited as follows:

Local Legislation.

STATE OF ALABAMA,
Chilton County.

Notice is hereby given that at the 1927 session of the Legislature of Alabama, there will be introduced a bill seeking the enactment of a law, providing for the establishment of a Board of Revenue for Chilton county Alabama to consist of five members and one of said members shall be the Chairman of said Board to divide Chilton county Alabama into five (5) Districts to be known as Board of Revenue districts and provide that each district shall have a member on said board, to abolish the Court of County Commissioners of Chilton County, Alabama, to confer upon said Board of Revenue all the powers, authority and jurisdiction now or which may hereafter be possessed by courts of County Commissioners, Board of Revenue or other like governing bodies of the several counties of Alabama under the general laws, to provide for a Clerk for said board and prescribe and fix his duties and compensation, to prescribe the duties, qualification and compensation of the members of said board, to provide for the election and appointment of the members of said board and fix their terms of office, to provide the time when said bill will become a law if enacted.

THE STATE OF ALABAMA,
Chilton County.

Bfore me, C. O. Jones, a Notary Public in and for Chilton County, in said State personally appeared Joe M. Holladaye, who being by me first duly sworn deposes and says, on oath, as follows: That he is Editor and Publisher of the Chilton County News, a Newspaper published at Clanton, in Chilton County Alabama; that said Chilton County News, is a weekly newspaper; that the printed notice which is pasted to and attached to this affidavit has been duly published in and appeared in the regular issues of said Chilton County News, once each week, for four consecutive weeks, in the issues of the dates as follows: February 17th, 1927, February 24th, 1927, March 3rd, 1927, and March 10th, 1927.

Joe M. Holladaye,
Editor and Publisher of the Chilton County News.

Sworn to and subscribed before me this the 7th day of June 1927.

C. O. Jones,
Notary Public.

By Mr. Caffey:

S. 184. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

Agriculture.

By Mr. Stanley:

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof.

Agriculture.

By Mr. Edgar:

S. 186. To prevent discrimination in the matter of County and Municipal licenses against persons, firms or corporations making deliveries of goods in their own conveyances and or by their own agents.

Finance and Taxation.

By Mr. Ellis of Shelby:

S. 187. To authorize the Town Council or other governing body of any Town in the State of Alabama having a population of one Thousand (1000) or more, according to the last or any succeeding Federal Census, to abolish its Board of Education and return or place the government and control of the schools of such Town under the control of the County Board of Education.

Education.

By Mr. Holmes:

S. 188. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the four main large soil types of the State as represented in the Tennessee Valley, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work to authorize and empower county boards of revenue or county com-

missioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equqipment for said sub-station; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

Agriculture.

By Mr. Craft:

S. 189. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county Commissioners, municipalities or like governing bodies; to provide authority and empower the Board of Administration to make agreements and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising, etc., on highways; to define or provide rules of the road, including traffic regulations, penal violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission in the matter of such regulation and providing penal offenses concerning the matter of such regulation; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries to provide for the establishment and maintenance of private roads; to provide for State Bonds for construction and maintenance of roads, issue and sale of; Good Roads Day and Road Improvement Districts established; Offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges, viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, except such laws pertaining to revenue.

Public Roads and Highways.

By Mr. Nixon:

S. 190. To make it unlawful for any domestic animal to run at large in the State of Alabama; to declare the liability of the owner of, or of the person having the possession, custody or control of, any domestic animal running at large in the State of

Alabama; to define the meaning of the words "domestic animal" and of the word "person" as used in this Act; and to provide the repeal of all laws, both general and local, in conflict with this Act.

Agriculture.

By Mr. Teasley (With N. & P.):

S. 191. For the relief of A. E. Jackson, and to reimburse him for expenses incurred in defense of prosecutions instituted against him by the State of Alabama, in the Circuit Court of Madison County, for acts alleged to have been committed by him while acting as Superintendent of Banks in the administration or liquidation of the affairs of the Bank of Madison, and in which he was acquitted or discharged.

Finance and Taxation.

With Notice and Proof herewith exhibited as follows:

TO WHOM IT MAL CONCERN

Notice is hereby given that at the next session of the legislature of Alabama, which will re-convene in June, 1927, a bill will be introduced therein to reimburse me, out of the state treasury for necessary and reasonable expenses incurred and paid by me in the sum of $696.52, in the defense of the indictments or prosecutions instituted against me by the state of Alabama in the circuit court of Madison county, while acting as state superintendnet of banks in connection with the affairs of the Bank of Madison, and in which prosecutions I was acquitted or discharged.

This the 7th day of March, 1927.

A. E. Jackson.
Huntsville, Ala., 4-1, 1927.

Mr. A. E. Jackson, City.
Mar. 10, 1927. To Pub. notice, 116 words., 4 T. W. $5.22.

The insertions of this advertisement were made in The Huntsville Daily Times for four consecutive weeks beginning 3-10-27.

J. E. Pierce,
Editor and General Manager.

Subscribed and sworn to before me this the 16th day of April, 1927.
(Seal) Arvie Pierce,
Notary Public.

REPORTS OF COMMITTEES

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite (With N. & P.):

S. 46. To establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory,

to define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerks and Officers of said Court, the payment of their salaries and the manner of their appointment and election.

By Mr. Fite:

S. 168. To provide for and establish in each and all counties of this state which now have a population of two hundred thousand people, or more, according to the last Federal Census, or which shall hereafter have such population, or more, according to any such census hereafter taken, a Court to be desiganted the Juvenile and Domestic relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction, and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said courts to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other Courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and of all wards and probationers of such domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations Courts and Courts of Domestic Relations in such counties.

By Mr. Ellis (Shelby):

S. 156. To repeal Section 7539 of the Code of Alabama, 1923.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 45. Relative to extending an invitation to the Woodmen of the World to locate its national headquarters in Alabama.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

LEAVES OF ABSENCE

On motion of Mr. Williams, leave of absence was granted Mr. Mitchell for today.

On motion of Mr. Ellis of Dallas, leave of absence was granted Mr. Walker for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

HOUSE JOINT RESOLUTION

By Mr. Rogers of Mobile:

H. J. R. 64. Whereas, an invitation has been extended by the people of Mobile to the Legislature of the State of Alabama to visit our Gulf City as the guests of its citizens, and inspect the magnificent Docks now being constructed by the State Docks Commission; and,

Whereas, our attention has been called to the fact that on Tuesday, June 14th, 1927, there will be a formal opening and dedication of the bridge connecting Mobile and Baldwin Counties, which bridge has appropriately been named "The Cochrane Bridge" in honor of Mr. John T. Cochrane, the President of the Mobile Bay Bridge Company; and,

Whereas, the Committee of Mobile citizens having in charge the celebration in connection with the formal opening and dedication of the said bridge has extended a cordial invitation to this Legislature to select June 14th, 1927, as the day for their visit to Mobile to inspect the State Docks, so that the Legislature can also inspect the said bridge; and,

Whereas, it is recognized that this bridge is the culmination of long years of effort on the part of the people of Mobile, and that this bridge is of state-wide importance and benefit; and,

Whereas, the representatives of Mobile County have urged the members of the Legislature of the State of Alabama to visit Mobile on June 14th, 1927, at the expense of the citizens of Mobile County;

Now, Therefore, be it resolved by the House, the Senate concurring, that the cordial invitation extended to the Legislature of Alabama by the people of Mobile be, and the same hereby is, accepted, and that the Senate and House do, on June 14th, 1927, visit Mobile in a body for the purpose of inspecting the State Docks and for the purpose of attending the formal opening and dedication of "The Cochrane Bridge."

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in and adopted H. J. R. 64, set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Simpson:

H. J. R. 63. Be it resolved by the House the Senate concurring, That being sensible of the great personal hardships endured and dangers encountered by the matchless pioneer of the air, Nungesser, Coli, Lindberg and Chamberlain, and keenly grieved by the turn of the wheel of fortune that brought death to two of the bravest and equally thankful for the happy and glorious result which befell the efforts of the others.

Be it resolved that the State of Alabama extend to the French Republic and particularly to the comrades and families of Nungesser and Coli their profound sympathy and sorrow, and thankful appreciation for their immortal contribution to human progress, and

Further that to Lindberg and Chamberlain, grateful acknowledgment is made of that debt owed them by the American people in particular and the world at large, often, all too soon forgot, for their personal fortitude and courage, their demonstration of the strength, dependability and standing of American Aviation, their exemplification of true sportsmanship and the lustre shed on the name of our country by their premier trans-Atlantic flights.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Stokes, the Senate concurred in and adopted H. J. R. 63, set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

S. 113. To amend Section 8588 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Brown	Hall	Loflin	Stokes
Carlton	Hines	Mitchell	Teasley
Cowan	Holmes	Moore	Thompson
Craft	Jack	Nixon	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James	Oliver	Williams
Ellis of Shelby	Jones	Stanley	Young
Fite	Justice		

—30

Nays:—None.

The Bill:

S. 57. To extend the corporate existence of all corporations incorporated under the laws of the State of Alabama, and now carrying on business as a corporation where the De Jure corporate existence has heretofore terminated, and to validate all acts within the charter powers of such respective corporations, and to extend the corporate existence of all such corporations where the De Jure corporate existence of the corporation will terminate within ten years from the date of the approval of this act.

Was taken up.

The Committee on Corporations reported the following amendment to said bill to-wit:

COMMITTEE AMENDMENT TO S. 57.

1. Amend the title to the bill by striking out the following words:

"And to validate all acts within the charter and powers of such respective corporations."

2. Amend Section 1 by striking therefrom the word "general" where the same appears immediately before the words "laws of the State of Alabama," and by striking from said section 1 the words, "All acts within the charter powers of the corporation heretofore done by the corporation since the expiration of its De Jure corporate existence, are hereby approved ratified and confirmed.

3. Amend the bill by adding Section 3 as follows:

Section 3. This act shall not apply to, or include, banking corporations.

Which was adopted.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Cowan	Fite	Jones
Brown	Edgar	Hines	Justice
Caffey	Ellis of Dallas	Holmes	Loflin
Carlton	Ellis of Shelby	Jack	Nixon

Nolen	Teasley	Williams	Young
Oliver	Walton		—22

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Nolen
Brown	Fite	Justice	Oliver
Carlton	Hines	Loflin	Thompson
Cowan	Holmes	Moore	Walton
Edgar	Jack	Nixon	Young

—20

Nays:—None.

The Bill:

H. 93. To amend Sections 2, 5 and 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Ast to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled :"An Act to amend Section 8 of an Act entitled 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers,'" approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Sections 2, 5 and 20 are each respectively compiled and arranged as Sections 6221, 6224 and 6239 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Teasley
Bradford	Fite	Loflin	Thompson
Brown	Holmes	Moore	Walton
Caffey	Jack	Oliver	Warren
Carlton	Jackson	Stanley	Williams
Cowan	James	Stokes	Young
Edgar	Jones		—26

Nays:—None.

The Bill:

H. 69. To amend Section 3238 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Thompson
Brown	Hines	Moore	Walton
Caffey	Holmes	Nixon	Warren
Carlton	Jack	Nolen	Williams
Cowan	James	Oliver	Young
Edgar	Jones	Stanley	

—27

Nays:—None.

The Bill:

H. 87. Recognizing, ratifying, and confirming the consolidation of the State Bar with the Alabama State Bar Association, under the name of "The Alabama State Bar Association" and under the Constitution and by-laws as adopted by said consolidated body, effected in pursuance of Section 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend Section 8 of an Act entitled: 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers,' approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Section 20 is compiled and arranged as Section 6239 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Moore	Thompson
Caffey	Hines	Nixon	Walton
Carlton	Holmes	Nolen	Warren
Cowan	Jack	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

H. 239. To provide for the election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for a special

election to be held to elect such County Superintendent under this Act and to provide for the election of his successor in office.

Was taken up.

The Standing Committee on Local Legislation reported the following substitute for said bill to-wit:

A SUBSTITUTE FOR HOUSE BILL NO. 239

To provide for the election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Be it Enacted by the Legislature of Alabama:

Section 1. That a County Superintendent of Education for Dale County, Alabama, shall be elected by the qualified electors of Dale County, Alabama, who shall hold office for four years and until his successor is elected and qualified as hereinafter provided.

Section 2. That at the next general election to be held in 1928 in said County and State a County Superintendent of Education for Dale County, Alabama, shall be elected, who shall assume the duties of his office July 1, 1929, and shall hold office for a term of Four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years thereafter, a County Superintendent of Education for Dale County, Alabama, shall be elected by the qualified voters of said County, at the regular election and nomination for this office may be made in primary elections as other County Officers.

Section 3. That the salary of said Superintendent of Education shall be fixed by the County Board of Education of Dale County, Alabama, which salary shall not be less than $2,000.00 nor more than $3,000.00 per annum, and which salary shall be paid in the same way and manner as now provided under the general laws of the State of Alabama, for the payment of County Superintendents of Education in the several Counties of the State.

Section 4. That said County Superintendent shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State of Alabama in the conduct of the office of the County Superintendent of Education; and no person shall be eligible for political party nomination to the office of County Superintendent of Education of said County who does not as now required hold an Alabama Certificate in Administration and Supervision based as a minimum upon graduation from a standard normal school or equiv-

alent education with at least one year of additional study of college grade, and proof of three years of successful teaching experience; provided, that if no person meeting these requirements qualifies for nomination and election as provided in this Act, the County Board of Education shall appoint a Superintendent of Education as provided by general law regulating the appointment of superintendents; that no person shall be eligible to such office who is not a qualified elector of Alabama, at the time of the nomination or election to such office.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the County Board of Education, and the person so appointed shall hold office until the next general election thereafter when his successor shall be elected; that should any County Superintendent be removed for cause by the County Board of Education of Dale County, such vacancy shall be filled by appointment of the State Superintendent of Education, and his appointee shall hold office as in the case provided by appointment by the County Board of Education. Provided, that the County Board of Education may remove the County Superintendent of Education for immorality, misconduct in office, incompetency, or willful neglect of duty, or when the best interests of the school requires it; any of which causes must be alleged and proved and the County Superintendent of Education shall have the right to be heard in his defense in cases of impeachment against County Officers, and all such hearings shall be conducted as in cases provided under the general laws for impeachment of County Officers.

Section 6. That the duties and powers prescribed by the general laws of Alabama for the office of County Superintendent in the Supervision of the schools of the several Counties shall apply to and be incumbent upon the County Superintendent. The County Superintendent elected or appointed under the provisions of this Act, and before entering upon the duties of said office, must take the oath of office prescribed by the Constitution, and give bond in an amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties of his office, and for the accounting and paying over to the proper authority all moneys coming into his hands.

Section 7. That if any part of this Act shall be declared unconstitutional it shall not effect the other provisions of it.

Section 8. That all laws and parts of laws in conflict with the provisions of this Act be and are hereby repealed.

Which was adopted.
Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Fite	Loflin	Thompson
Caffey	Hall	Moore	Walton
Carlton	Hines	Nixon	Warren
Cowan	Holmes	Oliver	Williams
Craft	Jack	Stanley	Young
Edgar	James		

—30

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Fite	Loflin	Thompson
Caffey	Hall	Moore	Walton
Carlton	Hines	Nixon	Warren
Cowan	Holmes	Oliver	Williams
Craft	Jack	Stanley	Young
Edgar	James		

—30

Nays:—None.

RESOLUTION

The Rules Committee reported the following Joint Resolution:

S. J. R. 46. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today that they adjourn to meet Friday, June 10, 1927.

And on motion of Mr. Brown, said report was concurred in and the resolution concurred in and adopted.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama,
Gentlemen:

I herewith hand you a message from the Governor submitting for confirmation the names of Judge Henry D. Clayton, Judge Henry B. Foster, Hon. Archibald H. Carmichael and Hon. Robert E. Steiner, Jr. as members of the Board of Trustees of the University of Alabama.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

June 8, 1927.

To The Senate of Alabama,
Gentlemen:

I am transmitting herewith to you certificate of the State Superintendent of Education showing that on May 30th, 1927, the following named persons were elected as members of the Board of Trustees of the University of Alabama from their Congressional Districts and for the terms indicated:

Judge Henry D. Clayton, Third Congressional District, for a term of twelve years, beginning 1927.

Judge Henry B. Foster, Sixth Congressional District, for a term of twelve years, beginning 1927.

Hon. Archibald H. Carmichael, Eighth Congressional District, for a term of twelve years, beginning 1927.

Hon. Robert E. Steiner, Jr., Second Congressional District, to fill vacancy caused by resignation of General Robert E. Steiner, term ending 1935.

These names are submitted as provided in Section 264 of the Constitution of the State of Alabama for your confirmation or such other action as to you may seem right and proper.

Respectfully,
Bibb Graves,
Governor.

To The Senate of Alabama,

Complying with the Constitution and statutes of Alabama, I hereby certify that on May 30, 1927, the following named persons were elected as members of the Board of Trustees of the University of Alabama from the congressional districts and for the terms indicated: Judge Henry D. Clayton, Third Congressional District, for a term of twelve years beginning in 1927; Judge Henry B. Foster, Sixth Congressional District, for a term of twelve years beginning in 1927; Hon. Archibald H. Carmichael, Eighth Congressional District, for a term of twelve years begining in 1927; and Hon. Robert E. Steiner, Jr., Second Congressional District, to fill the vacancy from said district expiring in 1935 caused by the resignation of General R. E. Steiner of Montgomery.

Respectfully submitted,
R. E. Tidwell,
State Superintendent of Education.

GOVERNOR'S MESSAGE

On motion of Mr. Brown, the Senate confirmed the appointment of the following named persons as members of the Board of Trustees of the University of Alabama for the term indicated.

Judge Henry D. Clayton, Third Congressional District, for a term of twelve years, beginning 1927.

Judge Henry B. Foster, Sixth Congressional District, for a term of twelve years, beginning 1927.

Hon. Archibald H. Carmichael, Eighth Congressional District, for a term of twelve years, beginning 1927.

Hon. Robert E. Steiner, Jr., Second Congressional District, to fill vacancy caused by resignation of General Robert E. Steiner, term ending 1935.

Yeas, 29; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	James	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Shelby			

—29

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama,
Gentlemen:

I hand you herewith a message from the Governor submitting for confirmation the name of Major F. Eugene Butler, as Adjutant Genearl of Alabama.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

June 8, 1927.

To The Senate of Alabama,
Gentlemen:

I have appointed Major F. Eugene Butler of Ozark, Alabama as Adjutant General of Alabama. The War Department of the Federal Government has recognized and confirmed this appointment by appointing Major Butler, Brigadier General of the Line Reserve, he having qualified as such by service abroad in the late World War and I have the honor to transmit herewith his name for confirmation or such other action as to you may seem right and proper.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. James, the Senate confirmed the appointment of Hon. F. Eugene Butler as Adjutant General of Alabama.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Thompson
Brown	Fite	Loflin	Walton
Caffey	Hall	Moore	Warren
Carlton	Holmes	Nolen	Williams
Cowan	Jack	Oliver	Young
Craft	James	Stanley	

—27

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama,
Gentlemen:

I herewith hand you a message from the Governor submitting for confirmation the names of Hon. G. Walter Jones, Huntsville, Alabama, Hon. Ernest Fite, Hamilton, Alabama, and Mrs. Augustus Forrest, Birmingham, Alabama, as members of the Board of Trustees of the Alabama School for the Deaf.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

June 8, 1927.
To The Senate of Alabama,
Gentlemen:

I have appointed Hon. G. Walter Jones, Huntsville, Alabama, Hon. Ernest Fite, Hamilton, Alabama, and Mrs. Augustus Forrest, Birmingham, Alabama, as members of the Board of Trustees of the Alabama School for the Deaf and I herewith transmit to you their names as such trustees for confirmation or such other action as to you may seem right and proper.

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Oliver, the Senate confirmed the appointment of Hon. G. Walter Jones, Hon. Ernest Fite, and Mrs. Augustus Forrest, as members of the Board of Trustees of the Alabama School for the Deaf.

Yeas, 26; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Loflin	Stokes	
Brown	Fite	Moore	Thompson	
Caffey	Hall	Nixon	Walton	
Carlton	Holmes	Nolen	Warren	
Cowan	Jack	Oliver	Williams	
Craft	James	Stanley	Young	
Edgar	Justice			—26

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To The Senate of Alabama,
Gentlemen:

I herewith hand you a message from the Governor submitting for confirmation the name of Hon. John E. Delony of Tuscumbia, as a member of the Board of Trustees of the Alabama College.

Respectfully submitted,
Gaston Scott,
Secretary to the Governor.

June 8th, 1927.
To The Senate of Alabama,
Gentlemen:

I have appointed Hon. John E. Deloney of Tuscumbia a member of the Board of Trustees of the Alabama College to succeed Hon. Virgil Bouldin, resigned, for the term ending January, 1935 and I herewith transmit to you my action in so appointing Mr. Deloney for confirmation or for such other action as to you may seem right and proper.

Respectfully submitted,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. James, the Senate confirmed the appointment of Hon. John E. Deloney as a member of the Board of Trustees of Alabama College to succeed Hon. Virgil Bouldin, resigned, for the term ending January, 1935.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Brown	Fite	Loflin	Thompson
Caffey	Hall	Moore	Walton
Carlton	Hines	Nixon	Warren
Cowan	Jack	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		—26

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 46. Relative to adjournment of the two Houses, until Friday, June 10, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bill with the original bill, respectively, and finds same correctly engrossed, to-wit:

S. 57. To extend the corporate existence of all corporations incorporated under the laws of the State of Alabama, and now carrying on business as a corporation where the De Jure corporate existence has heretofore terminated, and to extend the corporate existence of all such corporations where the De Jure corporate existence of the corporation will terminate within ten years from the date of the approval of this Act.

S. 113. To amend Section 8588 of the Code of Alabama.

W. B. Nolen,
Chairman.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journals of the Senate for the 19th, 20th, legislative days, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journals of the Senate for the 19th and 20th legislative days were approved by the Senate.

ADJOURNMENT

At 11:45 A. M., on motion of Mr. Ellis of Dallas and pursuant to resolution heretofore adopted, the Senate adjourned until ten o'clock Friday morning.

TWENTY-FIRST DAY

Friday, June 10th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Jno. S. Chadwick, of Birmingham.

ROLL CALL

Present:

Messrs:			
Bonner	Ellis of Shelby	Justice	Stanley.
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walker
Cowan	Jack	Nolen	Walton
Craft	Jackson	Oliver	Williams
Edgar	James	Smith	Young
Ellis of Dallas			—33

JOURNAL

On motion of Mr. Edgar, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. James, leave of absence was granted Mr. Jones for today.

On motion of Mr. Nixon, leave of absence was granted Mr. Warren for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Carlton (With N. & P.):

S. 192. To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

Judiciary.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
Marengo County.

Before me, John McKinley, a Notary Public, in and for said County, and State, personally appeared R. E. Sutton, who being by me duly sworn, deposed and says that he is editor of the Democrat-Reporter, a newspaper published in Linden, Marengo County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on the 14th day of April, 1927 and on the 21st day of April, 1927, and on the 28th day of April, 1927, and on the 5th day of May, 1927.

R. E. Sutton,

Sworn to and subscribed before me this 30th day of May, 1927.

(Signed) Jno. McKinley,
Notary Public, Marengo Co., Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Greene County.

Before me, Sarah Smith, A Notary Public, in and for said County and State, personally appeared Jas. S. Coleman, who being by me duly sworn deposes and says that he is Editor of the Greene County Democrat, a newspaper published in Eutaw, Greene County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 14th day of April, 1927, and on the 21st day of April, 1927 and on the 28th day of April, 1927, and on the 5th day of May, 1927.

(Signed) Jas. S. Coleman.

Sworn to and subscribed before me this 24th day of May, 1927.

(Signed) Sarah Smith,
Notary Public, Greene County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Sumter County.

Before me, T. M. Tartt, Jr., a Notary Public, in and for said county and State, personally appeared W. H. Lawrence, who being by me duly sworn deposes and says that he is editor of Our Southern Home, a newspaper published in Livingston, Sumter County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 13th day of April, 1927, and on 20th day of April, 1927, and on 27th day of April, 1927, and on 4th day of May, 1927.

W. H. Lawrence,

Sworn to and subscribed before me this 31st day of May, 1927.

T. M. Tartt, Jr.,
Notary Public, Sumter County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Pickens County.

Before me, W. S. McGee, a Notary Public, in and for said County and State, personally appeared Jack M. Pratt, who being by me duly sworn deposes and says that he is Editor of the Pickens County Herald, a news-newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 14th day of April, 1927, and on the 21st day of April, 1927 and on the 28th day of April, 1927 and on the 5th day of May, 1927.

(Signed) Jack M. Pratt.

Sworn to and subscribed before me this 23rd day of May, 1927.

(Signed) W. S. McGee,
Notary Public, Pickens County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

By Mr. Stokes:

S. 193. To provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal all laws in conflict with the same.

Municipalities and Municipal Organizations.

By Mr. Stokes:

S. 194. A bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at the next general election after the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama so as to fix the debt limitation of all cities, towns, villages, and other municipal corporations of the State of Alabama, to setout the kinds of indebtedness not included in such limitation, and to provide for the levy and collection of a tax in every city, town,

village, or other municipal corporation, and in every county, in the State sufficient to pay the principal and interest upon all bonds, including refunding bonds, hereafter issued.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is at the next general election after the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

(a). All cities, towns, villages, and other municipal corporations are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding ten per centum of the assessed valuation of the property therein, as the same is assessed for state taxation. There shall not be included in the above limitations of indebtedness the following classes of indebtedness, to-wit: (a) temporary loans for current expenses to be paid within one year, made in anticipation of the collection of taxes for the current year, and not exceeding one-fourth of the general revenues for the preceding year; (b) indebtedness already or hereafter incurred for acquiring, providing, or constructing water works, electric light and gas plants; (c) indebtedness already or hereafter incurred for sewer, street, sidewalk, or other improvements, whether of a like or of any different kind, to the extent that the cost thereof has been or is proposed to be assessed against the property benefited thereby; and (d) indebtedness incurred prior to September 1st, 1927, which, at the time it was incurred, was without the then existing constitutional limitations, and any obligations to be incurred in refunding such indebtediness.

In ascertaining the amount of indebtedness subject to said limitation, there shal be deducted from the total amount of such indebtedness sinking funds on hand and applicable solely to the payment of indebtedness subject to said limitation.

(B) Every city, town, village, or other municipal corporation, and every county, shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law, a tax on the property situated therein sufficient to pay the principal and interest falling due in that year or falling due in any prior year and remaining unpaid upon all bonds hereafter issued, including refunding bonds hereafter issued, (but such refunding bonds shall mature over a period of not less than fifteen years in such installments may be provided by law) and the officers of such municipal corporation and county now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect

such taxes in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any such municipal corporation or county from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such municipal corporation or county or interest thereon. Any laws enacted by the Legislature of 1927 shall be valid and have effect under this amendment to the same extent as they had been enacted subsequent to its adoption.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. That at the election hereby ordered to be held as herein provided the qualified electors shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following: "Shall the following proposed amendment to the Constitution of Alabama be adopted?"

(A) All cities, towns, villages, and other municipal corporations are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding ten percentum of the assessed valuation of the property therein, as the same is assessed for state taxation. There shall not be included in the above limitation of indebtedness the following classes of indebtedness, towit: (a) temporary loans for current exprenses to be paid within one year, made in anticipation of the collection of taxes for the current year, and not exceeding one-fourth of the general revenues for the preceding year; (b) indebtedness already or hereafter incurred for acquiring, providing, or constructing water works, electric light and gas plants; (c) indebtedness already or hereafter incurred for sewer, sidewalk, street, or other improvements, whether of a like or of any different kind, to the extent that the cost thereof has been or is proposed to be assessed against the property benefitted thereby; and (d) indebtedness incurred prior to September 1st, 1927, which, at the time it was incurred, was without the then existing constitutional limitations, and any obligations to be incurred in refunding such indebtedness.

In ascertaining the amount of indebtedness subject to said limitations, there shal lbe deducted from the total amount of

such indebtedness sinking funds on hand and applicable solely to the payment of indebtedness subject to said limitation.

(B) Every city, town, village or other municipal corporation, and every county, shall annually levy and collect, in addition to all other taxes now or hereafter authorized by law, a tax on the property situated therein sufficient to pay the principal and interest falling due in that year or falling due in any prior year and remaining unpaid upon all bonds hereafter issued, including refundings bonds hereafter issued, (but such refunding bonds shall mature over a period of not less than fifteen years in such installments as may be provided by law) and the officers of such municipal corporation and county now or hereafter charged by law with the duty of levying and collecting taxes are hereby authorized and required annually to levy and collect such taxes in the same manner as other taxes are levied and collected, the proceeds thereof to be applied solely to the payment of such principal and interest, provided the amount of such tax shall be decreased by the amount of special assessments or other funds on hand and appropriated to the payment of such principal and interest. Nothing herein contained shall prevent any such municipal corporation or county from applying funds derived from taxes levied for general purposes or from any other source to the payment of bonds of such municipal corporation or county or interest thereon. Any laws enacted by the Alabama Legislature of 1927 shall be valid and have effect under this amendment to the same extent as if they had been enacted subsequent to its adoption."

Following the proposed amendment on the ballot shall be printed the word "Yes", and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State, and the election shall be held in all things in accordance with this act, the law governing general elections and the Constitutional provisions concerning amendments to the Constitution.

Section 5. That the votes cast at such election shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in election of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama.

Section 6. The result of such election shall be made known by proclamation by the Governor.

Section 7. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other general elections are paid.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Stokes:

S. 195. A Bill to be Entitled An Act to provide and submit to the qualified electors of the State of Alabama at an election to be held at the next general election after the final adjournment of the present session of the Legislature an amendment to the constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for state taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualfied electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is at the next general election after the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceeding the day hereby appointed for such election.

Section 3. That at the election hereby ordered to be held as herein provided the qualified electors shall vote on said proposed

amendment and on the official ballot printed for such election there shall be printed the following proposed amendment to be adopted?

"All counties are hereby authorized to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment prior to the date of this amendment, in an amount not exceeding one and one half per centum of the assessed value of property therein, bonded indebtedness is authorized by a majority vote by ballot of the qualfied voters of such county voting upon such proposition."

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross mark made by him, or under his direction, opposite the word expressing his desire.

Section 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State and the election shall be held in all things in accordance with this act, the law governing general elections and the Constitutional provisions concerning amendments to the Constitution.

Section 5. That the votes cast at such election shall be counted, canvassed and tabulated and return made to the Secreary of the State in the same manner as in elections of Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama.

Section 6. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other general elections are paid.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length as required by the Constitution.

By Mr. Cowan:

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

Counties and County Boundaries.

By Mr. Ellis of Shelby (With N. & P.):

S. 197. To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its board of education and place the government and control of the public schools of said town

under the control of the county board of education and under State control.

Education.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama which meets in the city of Montgomery on the 7th day of June, 1927, for the passage of an act authorizing the Town Council of the Town of Columbiana, Alabama to abolish its Board of Education and place the government and control of the Public Schools of said town under the control of the County Board of Education and under State control.

The Bill to be introduced for the above named purpose will be substantially as follows:

AN ACT

To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its Board of Education and place the government and control of the Public Schools of said Town under the control of the County Board of Education and under State control.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the Town of Columbiana, Alabama, by resolution duly adopted by the Town Council of said Town, is hereby authorized and empowered to abolish the Board of Education of said Town and place the government and control of the Public Schools of said Town under the control of the County Board of Education and under State control.

I hereby give notice that the above Bill will be introduced at the session of the Legislature referred to and its enactment into law will be sought.

L. H. Ellis.

STATE OF ALABAMA,
Shelby County.

Before me, Bertha Corley Ellis, a Notary Public in and for said County in said State, personally appeared Luther Fowler, who is known to me and who, being by me first duly sworn, deposes and says: That he is publisher of The Shelby County Reporter, a weekly newspaper published in Shelby County, Alabama; further deposing, affiant says that said paper is a weekly newspaper and that the printed notice which is pasted to and attached to this affidavit has been duly published in and appeared in the regular issues of said paper once each week for four consecutive weeks in the issues thereof May 5th, 1927, May 12, 1927, May 19, 1927 and May 26, 1927, and that the proposed act also attached to this affidavit likewise appeared in said paper along with said notice.

Luther Fowler,
Publisher of Shelby County Reporter.

Sworn to and subscribed before me, this 8th day of June, 1927.

Bertha Corley Ellis,
Notary Public.

By Mr. Williams:

S. 198. To amend Section 10048 of the Code of Alabama of 1923.

Judiciary.

By Mr. Williams:

S. 199. To amend Section 10043 of the Code of Alabama 1923.

Judiciary.

By Mr. Williams:

S. 200. To amend Section 10044 of the Code of Alabama 1923.

Judiciary.

By Mr. Williams:

S. 201. To amend Section 8025 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 202. To regulate the empanelling, qualifying and selecting of jurors in civil causes sounding in damages, in which insurance companies, not parties to the cause, are financially interested, and repealing all laws in conflict with the provisions of this act.

Judiciary.

By Mr. Williams:

S. 203. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Judiciary.

By Mr. Williams:

S. 204. To prohibit the having in possession or transporting five gallons or more of any of the liquors or beverages the sale or possession or transportation of which is now prohibited by law in Alabama, and to fix penalty therefor.

Temperance.

By Mr. Williams:

S. 205. To provide that any person, who, having first legally sworn or affirmed by a court or officer authorized to administer oaths or affirmations, willfully and corruptly makes or subscribes to a false statement orally or in writing of any material matter relating to what another knows or is reputed to know about, or would testify, if present, as a witness in a cause or proceeding then pending in court, or as to any other material matter, relating to the health, whereabouts, place of business, residence, postoffice address, or cause of absence, of such other person shall be guilty of perjury, and to prescribe the punishment therefor.

Judiciary.

By Mr. Williams:

S. 206. To regulate the practice of law by circuit solicitors, county solicitors, and deputy solicitors of Alabama, and their law

partner or partners, and to provide penalties and impeachment for the violation of this act.

Judiciary.

By Mr. Williams:

S. 207. To amend section 6574 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 208. To amend section 7919 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 209. To amend section 7920 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 210. To provide for the expenses of certain members of the judiciary of Alabama.

Judiciary.

By Mr. Williams:

S. 211. To amend section 865 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 212. To amend section 7951 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 213. To amend section 7918 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 214. To amend section 6702 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 216. To amend section 7418 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 217. To amend section 7009 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 218. To amend section 7005 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 219. To amend section 4622 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:
S. 220. To amend Section 10288 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 221. To amend Section 5523 of the Code of Alabama, 1923
Judiciary.

By Mr. Williams:
S. 222. To provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.
Judiciary.

By Mr. Williams:
S. 223. To amend Sections 8641 and 8645 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 224. To amend section 6248 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 225. To further regulate the trial of causes, the introduction of evidence, and objections and exceptions thereto.
Judiciary.

By Mr. Williams:
S. 226. To amend section 8603 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 227. To amend section 6996 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 228. To amend Section 5514 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 229. To amend Section 7722 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 230. To amend Section 5619 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 231. To make admissible in the evidence in behalf of the defendant in criminal cases, any evidence tending to show the motive under which the alleged misdemeanor or felony was committed, or the provocation thereto, except when such motive or provocation was undisclosed.
Judiciary.

By Mr. Williams:
S. 232. To amend Sections 10293 and 10300 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 233. To amend Sections 10043 of the Code of Alabama, 1923, and to repeal Section 10044 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 234. To amend Section 7209 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 235. To amend Section 5570 of the Code of Alabama, 1923.
S. 236. To repeal Section 7206 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 237. To provide for the joining of suits for loss of services of married women and minors, with suits for personal injuries occasioning such loss of services, and reepaling laws in conflict herewith.
Judiciary.

By Mr. Williams:
S. 238. To amend Section 7327 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 239. To amend Section 8643 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 240. To amend Section 10306 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 241. To amend Section 1354 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 242. To amend Section 6129 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:
S. 243. To amend Section 7943 of the Code of Alabama, 1923.
Judiciary.

By Mr. Williams:

S. 244. To more fully suppress crime in the State of Alabama by regulating the punishment thereof.

Judiciary.

By Mr. Williams:

S. 245. To amend Section 7331 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 246. To amend Section 5004 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 247. To amend Section 6739 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 248. To amend Section 9023 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 249. To amend Section 10048 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 250. To encourage the better enforcement of the criminal laws: to prohibit suits for malicious prosecution where the prosecution is commenced by an indictment by a grand jury; to relieve witnesses appearing before a grand jury and testifying in response to subpoenas, and their principals and employers from liabiilty in suits for malicious prosecution; to make conclusive evidence of existence of probable cause, a conviction in any court, notwithstanding a subsequent acquittal, or setting aside of the judgment of conviction upon appeal to a higher court; and to provide that only compensatory damages shall be recoverable in actions for malicious prosecution where recovery is permissible, and where the accused has been indicted by a grand jury.

Judiciary.

By Mr. Williams:

S. 251. To amend Sections 7309, 7315, 7322 and 7326 of the Code of Alabama, 1923, and to repeal Section 7318 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 252. To amend Sections 7542, 7551, 7554, 7562, 7566, 7567 and 7584 of the Code of Alabama, 1923.

Judiciary.

By Mr. Williams:

S. 253. To amend Chapter 34 of the Code of Alabama, 1923, by providing for the admission to the Bryce Hospital for the insane, and to the Searcy Hospital for the insane, persons addicted to the use of alcohol, opium, cocaine, their derivations or compounds, and other narcotic drugs, or veronal, and to provide for their detention, treatment and discharge therefrom.

Judiciary.

By Mr. Bradford (with notice and proof):

S. 254. To provide for the election of a county superintendent of education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties and to provide for the election of his successor in office.

Education.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF APPLICATION FOR LOCAL LAW

Notice is hereby given that application will be made to the Legislature of Alabama, by necessary and proper Bill to be introduced at the present session of the Legislature, for the enactment thereof as a Local Law for Cherokee county, Ala. The substance of which proposed Act, is as follows:

To provide for the election of a County Superintendent of Education for Cherokee county, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for a special election to be held to elect such County Superintendent under the Act, to provide for filling vacancy caused in said office for any cause, and to provide for the election of his successor in office.

Centre, Alabama, January 18, 1927.

THE STATE OF ALABAMA,
Cherokee County.

I, T. H. Shropshire, Editor and Publisher of the Coosa River News, a weekly Newspaper published at Centre, in Cherokee County, Alabama, hereby certify that the attached Notice of Application For Local Law was published in the Coosa River News for Four consecutive weeks prior to June 1, 1927, and on the following dates of publication of said newspaper, to-wit: January 21st, January 28th, February 4th and February 11th, 1927.

T. H. Shropshire,
Editor News.

Subscribed and sworn to before me this 8th day of June, 1927.

J. H. Savage,
(Seal) Notary Public, Cherokee County, Alabama.

By Mr. Oliver:

S. 255. To provide for the management and control of the Alabama School of Trades and industries.

Education.

By Mr. Oliver:

S. 256. To repeal sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

Public Health.

By Mr. Oliver:

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

Public Health.

By Mr. Oliver:

S. 258. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

Public Health.

By Mr. Oliver:

S. 259. To amend Section 2 of the Code of 1923.

Public Health.

By Mr. Oliver:

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama, of 1923, all relating to the public health of Alabama.

Public Health.

By Mr. Brown:

S. 261. To make an appropriation to cover the necessary expenses for the maintenance and conduct of the Alabama School of Trades and Industries.

Finance and Taxation.

By Mr. Craft (With N. & P.):

S. 262. For the relief of Carrie Bemis by the payment to her of compensation for the death of her son Roy Albert Bemis.

Finance and Taxation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Is hereby given that the undersigned intends to apply for the enactment of the following law by the Legislature of Alabama, viz:

A BILL

To be entitled an act for the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

Be it Enacted by the Legislature of Alabama:

First, That the "State Docks Commission" pay to Carrie Bemis the sum of three thousand dollars ($3,000) as compensation for the death of her minor son, Roy Albert Bemis, which occurred in September, 1926, through the negligence of a co-employe, while Roy Albert Bemis was in the employ of said commission."

Carrie Bemis.

STATE OF ALABAMA,
County of Mobile.

Personally appeared before me, T. Potter Yeend, a notary public in and for said state and county, J. C. Ballentyne, who, being sworn, deposes and says that he is an officer of the Mobile Register, Inc., a corporation, engaged in the business of publishing a daily newspaper in the City of Mobile, State of Alabama, which newspaper is known and designated as the Mobile Daily Register, and is a newspaper of general cirluation, and that, as such officer, he is duly authorized to make this affidavit on its behalf; and that the foregoing printed notice was published in said newspaper January 12th, 1927, and once a week for four consecutive weeks (including said date) in said newspaper, viz: upon said twelfth day of January, 1927, January 19th, 1927, January 26th, 1927 and February 2nd, 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me, this the 11th day of February, 1927.

T. Potter Yeend.
(Seal) Notary Public in and for Mobile County, Ala.
My Commission Expires June 24, 1930.

By Mr. Hall:

S. 263. To provide for the establishment of a Demonstration Farm at or near each of the State Secondary Agricultural Schools of Alabama, to provide for the necessary physical plants and equipment for such farms, to authorize and empower county boards of revenue or county commissioners or other bodies having similar jurisdiction in each county to appropriate funds for aiding in the purchase of land and equipment for said farms, to make appropriations for the maintenance of said farms and provide for their management and control.

Agriculture.

By Mr. Mitchell:

S. 264. To further regulate primary and general elections of Associate Justices of the Supreme Court; Justices of the Court of Appeals; Judges of the Circuit Courts.

Privileges and Elections.

By Mr. Mitchell:

S. 265. To amend Section 10309, Code of Alabama, 1923.

Judiciary.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young (With Substitute):

S. 112. To define the Crime of Arson and Attempt to Commit Arson and to fix punishment therefor, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

By Mr. Fite (With Substitute):

S. 60. To provide for the Creation of a Commission on Uniform State Laws, the Appointment of Commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.

By Mr. Fite (With Amendment):

S. 56. Relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto.

By Mr. Fite (With Substitute):

S. 47. To make uniform the law of bills of lading.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis (Dallas):

S. 172. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general fund in the State Treasury, not otherwise appropriated, for the relief of the State Child welfare Department.

By Mr. Stanley:

S. 171. To make an appropriation for the Equipment and Maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond, Virginia.

By Mr. Warren (Notice and Proof):

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate without recommendation and read a second time and placed on the calendar, to-wit:

By Mr. Edgar (Without Recommendation):

S. 186. To prevent discrimination in the matter of county and municipal licenses against persons, firms or corporations making deliveries of goods in their own conveyances and/or by their own agents.

Mr. Walker, Chairman of the Standing Committee on Corporations reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sanderson:

H. 124. To amend Sections 7167, 7168, 7171 and 7172 of Article 23, of the Code of Alabama of 1923.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edwards (With N. & P.) (With Amendment):

H. 202. To amend an Act entitled An Act to impose a per-capita road tax in lieu of personal service on the public roads of Choctaw County, Alabama, to provide for the collection of such tax and the disposition of the proceeds thereof; to provide for the appointment of a road supervisor for said County; to provide for the appointment of road overseers; to authorize the appointment of a road engineer, and to otherwise provide for the more efficient construction, maintenance and improvement of the public roads and bridges in said Choctaw County, Alabama, approved Sept. 27, 1923.

By Mr. Edwards (With N. & P.) (With Amendment):

H. 201. To abolish the Board of Revenue of Choctaw County, to establish in lieu thereof a Board of Commissioners of Choctaw County and to define and regulate its authority, powers and duties, to divide the County into four Commissioners Districts, to provide for appointment and election of the members of said Board and to provide for their salaries and fix their terms of office.

By Mr. Ellis (Shelby) (With N. & P.):

S. 183. To establish a board of revenue for Chilton County, Alabama, to consist of five (5) members, one of which members shall be the Chairman of said Board of Revenue; to divide Chilton County, Alabama, into five (5) Districts to be known as Board of Revenue Districts and define and establish the boundaries thereof; to provide that each of said Districts shall have a member on said Board; to abolish the Court of County Commissioners of Chilton County, Alabama; to confer upon the Board of Revenue of Chilton County, Alabama, all the powers, authority and jurisdiction now possessed or which may hereafter be possessed by Courts of County Commissioners, Boards of Revenue or other like governing bodies of the several counties of Alabama under the general laws; to provide for a clerk for said board of revenue and to prescribe and fix his duties and compensation; to prescribe the duties, qualifications and compensation of the members of said board; to provide for the election and appointment of the members of said board of revenue and fix their

terms of office; to provide the time when this bill or act shall become a law.

By Mr. Lovelace: (With N. & P.):

H. 135. To fix the salary of the Deputy Solicitor for Escambia County Alabama, and provide for the manner of payment of the same.

Mr. Mitchell, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis (Shelby) (With N. & P.):

S. 181. To provide for the manner of the election of the members of the Board of Education for Chilton County, and to prescribe the district from which each member thereof shall be elected and to prescribe their terms of office, powers and duties and to provide that one member of such board shall be elected from each said district.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate wtih a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 169. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this Act, or rules of said Commission.

ADVERSE REPORTS

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were placed on the adverse calendar, to-wit:

By Mr. Hines:

S. 12. To amend Section 5278 of the Code of Alabama of 1923.

By Mr. Fite:

S. 85. To amend Section 7 of an Act entitled "An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers, approved August 9, 1923.

By Mr. Fite:

S. 71. To amend Section 6898 of the Code of Alabama of 1923.

By Mr. Fite:

S. 66. To amend Section 6898 of the Code of Alabama of 1923.

By Mr. Fite:

S. 45. To define Liability for participation in Breaches of Fiduciary, obligations and to make uniform the law with reference thereto.

By Mr. Fite:

S. 44. To make uniform the law of transfer of shares of stock in corporations.

By Mr. Stokes:

S. 27. To repeal an Act entitled an Act, "To impose a license or privilege tax on all deeds, bills of sale, and other instruments of like character admitted to Record in the Probate Offices of the State," approved September 14, 1923.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with an Adverse report, and placed on the Adverse calendar, to-wit:

By Mr. Justice:

S. 131. To amend Section 86b of an act approved August 22nd, 1923, entitled "An Act in reference to and to further provide for the general revenue of the State of Alabama."

By Mr. Darden:

H. 75. To provide for the restoration of the names of Confederate Veterans, or their widows, where same have been dropped on account of absence from theState for more than a year, on the pension rolls of the State, where such veteran or widow is a bona fide resident of this State and is not now drawing a pension from any other State.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate Amendment to the bill:

H. 239. To provide for the election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

J. H. Stewart,
Clerk.

MESSAGE FSOM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Long:

H. 340. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing, improving, repairing and maintaining public roads, highways and bridges as authorized by the constitutional amendment known as Article XXA of the Constitution of Alabama.

And ordered same herewith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing house message was read once and referred to appropriate Standing Committee as follows:

H. 340. To the Committee on Finance and Taxation.

MESAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 47. Relative to joint session of the two Houses to honor to the memory of two distinguished former governors of Alabama, to-wit: The late Hon. Edward A. O'Neal and the late Hon. Emmett O'Neal, father and son.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RESOLUTION

Mr. Mitchell offered the following joint resolution:

S. J. R. 47. Be it resolved by the Senate of Alabama, The House concurring:

That at twelve o'clock noon on this June 10, 1927, The Senate and House do recess from the regular order of business and sit in joint session in the hall of the House of Representatives;

That the purpose of such joint session shall be to do honor to the memory of two distinguished former governors of Alabama, to-wit: The late Hon. Edward A. O'Neal and the late Hon. Emmet O'Neal, father and son, and to accept on the part of the State of Alabama portraits of these honored sons of the State whose names will always live in her history.

Which was, under a suspension of the rules, adopted.

The Rules Committee reported the following Senate Resolution:

S. R. 48. Resolved by the Senate that the Secretary of the Senate is hereby authorized to employ four typists and that the per diem of the said typists is hereby fix at six dollars per day.

Resolved, further, that the per diem of the Comparing Clerk of the Senate shall be five dollars per day from and after the adoption of this resolution.

On motion of Mr. Brown, the rules were suspended, said report concurred in and the resolution adopted.

Yeas, 16; Nays, 6.

Yeas:				
Messrs:				
Bradford	Ellis of Dallas	Justice	Stokes	
Brown	Hall	Loflin	Teasley	
Carlton	Hines	Moore	Walton	
Edgar	Jackson	Oliver	Young	
				—16
Nays:				
Messrs:				
Craft	Jack	Nolen	Thompson	
Ellis of Shelby	Mitchell			—6

The Rules Committee also reported the following Joint Resolution:

S. J. R. 49. Resolved by the Senate, the House concurring, That when the two Houses adjourn today, they adjourn to meet again Wednesday, June 15, 1927, at ten A. M.

Provided, that no member of the Legislature shall draw or be entitled to extra mileage.

On motion of Mr. Brown, said report was concurred in and said resolution adopted.

Mr. Craft offered the following Joint Resolution:

Introduced by Senator Craft:

S. J. R. 50. Whereas, the loss of life, and especially the loss of property, reaching the enormous figure of more than One Million Dollars; causing human suffering which has been more wide-spread than any catastrophe which has ever been inflicted upon the people, short of war, or a nation-wide epidemic in reducing multiplied thousands of our fellow citizens to the direst straits for a bare subsistence, and even this, they would be denied, but for the magnificent service of the Red-Cross Association, and Governmental Agencies.

And, Whereas, It will be absolutely essential that this help shall be continued for many months to come, to keep the many sufferers from absolute want,

And whereas, the floods on the Mississippi River and other streams is the source from which this terrible disaster arises, which in addition to other evils has covered vast areas of the earth's surface, preventing cultivation of the soil for some time to come.

And Whereas, What are "alluvial lands," that is, lands very fertile and productive, more so than the surrounding lands, and because it is more subject to overflow, being so much less valuable for that reason—but in reality, the best land.

And whereas, The remedying of this wide-spread loss and waste call most loudly for immediate and careful consideration, and attention,

And Whereas, There is now a surplus in the National Treasury of some $600,000,000.00 to $800,000,000.00, all of which, or such portion of which as may be necessary could not be put to a better use, with larger and more justifying returns from its expenditure than the controlling of these flood waters, which are becoming alarmingly frequent and portentiously threatening.

Therefore, be it resolved by the Senate, the House concurring, That we deeply sympathize with our fellow-citizens in the flooded areas, upon whom all this great suffering has come,

Be it further resolved, That we most earnestly petition, and call upon Congress, to take all steps that may be necessary, in the full exercise of its powers, towards the speedy remedying of the untoward conditions now so prevalent in the flooded areas.

Be it Further Resolved, That the Governor is requested to transmit copies of this resolution to the President of the United States, with the earnest request that he call Congress together in Extraordinary Session to consider ways and means of bringing about the speediest relief possible.

Which was, under a suspension of rules, adopted.

Mr. Teasley offered the following Senate Resolution:

S. R. 51. Be it Resolved by the Senate, That the Doorkeeper of the Senate is hereby directed to furnish to each Senator and the President of the Senate, the Code of Alabama of 1923, and the Acts of the Legislature of 1919 and 1923 upon request from any Senator and the President, where the Code and Acts have heretofore furnished him has been lost or misplaced during the Recess of the Legislature.

Be it further resolved, that the Doorkeeper is released from any responsibility for loss or misplacement of any such Code or Acts.

Which was, under a suspension of the rules, adopted.

REPORT OF THE JOINT RECESS COMMITTEE ON AGRICULTURE

To the Legislature of Alabama: The President of the Senate and the Speaker of the House:

Your Joint Recess Committee on Agriculture begs leave to submit the following report in compliance with the directions of the legislature in creating such committee:

Our report is made in the form of several bills, which represent the best opinion of this committee, after visiting various sections of the State and enquiring into the needs and wishes of the people of such sections, that will be of the greatest benefit to the State as a whole and to agriculture especially.

The first is a bill to be entitled an Act:

"For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of livestock, the production of fruit, vegetables, nuts and citrus fruits, the control of insect pests, plant and livestock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the four main large soil types of the state as represented in the Tennessee Valley, the Black Belt, the Wiregrass, and the Culf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on experimental fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the state, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations."

The second is a bill to be entitled an Act:

"To provide for the establishment of a demonstration farm at or near each of the state secondary agricultural schools of Alabama, to provide for the necessary physical plants and equipment for such farms, to authorize and empower county boards of revenue or county commissioners or other bodies having a similar jurisdiction in each county to appropriate funds for aiding in the purchase of land and equipment for said farms, to make appropriation for the maintenance of said farms and provide for their management and control."

The third is a bill to be entitled an Act:

"To make it unlawful for any domestic animal to run at large in the State of Alabama; to declare the liability of the owner of, or of the person having the possession, custody or control of, any domestic animal running at large in the State of Alabama; to define the meaning of the words "domestic animal" and of the word "person" as used in this Act; and to provide the repeal of all laws, both general and local, in conflict with this Act."

The fourth is a bill to be entitled an Act:

"To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments."

The fifth is a bill to be entitled an Act:

"To abolish the branch agricultural experiment station located near Uniontown, in Perry County, Alabama known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof."

The sixth is a recodification of what is known as the Agricultural Code, which will be presented to the legislature by the Code Commissioner appointed under the provision of an Act of the legislature for the purpose of such recodification.

(Signed)
R. J. Goode, Chairman
R. F. Hall, Vice Chairman
Sibley Holmes
O. S. Justice
W. G. Allen
J. T. Sanders
J. B. Stanley,
W. E. Ringer
C. Kirkpatrick
H. M. Caffey
S. A. Burns
J. A. Parish
L. S. Golson
W. O. Shivers
F. M. Nixon
Jno. P. Hampton.

COMMITTEE REPORT

On motion of Mr. Hall, the foregoing report from the Recess Committee on Agriculture was read and ordered spread upon the Journal, and on motion of Mr. Craft, 1000 copies thereof ordered printed for the use of the Senate.

REPORT OF THE JOINT RECESS COMMITTEE ON BOND LAWS

To the Legislature of Alabama:

Your joint recess committee provided for by Senate Joint Resolution No. 28, approved February 18, 1927, and charged with the duty of investigating the Bond laws of Alabama and recommending such legislation as might be considered advisable, if any, looking to their improvement, begs leave to submit the following report:

After organization, following the Legislative recess in February, it held public hearings in Montgomery, Mobile and Birmingham at which every one interested in any phase of the bond situation in Alabama was invited to appear and submit their views. It has consulted with investment bankers, attorneys specializing in bond practice, and municipal and county authorities. It sent out letters to Probate Judges and Mayors of the State inviting expressions from them. In addition, it corresponded with bond investors in New York and elsewhere, as well as attorneys, both in Alabama, and outside, who have had experience with the sale of Alabama bonds.

THE GENERAL SITUATION

As to State bonds, we find that Alabama has already adopted the policy of providing for the raising of funds for repaying both interest and principal on new bonds issued before or at the time they are authorized, this being the only sound financial policy. On account of this, Alabama's credit ranks high today. Our State bonds bear a low rate of interest and command a premium.

This Committee does not feel that our laws, so far as State bonds are concerned, need any revision at this time.

As to the bonds of our counties and municipalities, we find, unfortunately, that they are not generally well regarded. Probably very few people are aware of the following facts, which are unqualifiedly true, and can be verified by reference to any of the financial centers:

(1). Bonds sold by Alabama Counties and Municipalities are considered of less value than those of any of the other forty-seven states.

(2). Numbers of reputable investment bankers in New York, Chicago and other financial centers absolutely refuse to handle our county and municipal bonds of any character or description.

(3.) Many of the big insurance companies which are the largest purchasers of municipal bonds will not handle Alabama bonds, and therefore the primary demand is cut off.

(4). Alabama, has, today, the undesirable reputation of having the most unsatisfactory laws of any State in the Union on the subject of municipal and county financing, and in consequence, we have discouraged bond purchasers from the larger financial centers of America from coming into our State to bid on and purchase these bonds.

(5). The annual excess interest cost to the citizens and taxpayers of this State, attributed to our improper laws, is estimated at anywhere from $500,000.00 to $1,000,000.00, which sum grows larger as activity increases. Possibly the uninformed citizen is only mildly interested in a reduction of ¼ of 1% or ½ of 1% a year in interest charges, nevertheless, the use of compound interest tables shows that a reduction in interest rate from 5½% to 5% would in thirtyfive years extinguish the entire debt.

(6). Our larger cities pay from ¼ of 1% to ¾ of 1% more for money than corresponding cities in neighboring states, while the small towns find themselves handicapped with excess interest charges of from ½ of 1% to 2% per year.

The situation set out above is not felt to such a great extent in the larger counties and cities, yet such a readjustment as would enable all counties and municipalities to effectively assure the bond owner that the bonds would be paid both as to principal and interest, as they mature, would give Alabama county and municipal bonds such a favorable standing in investment markets as to reflect a larger saving to the smaller counties and towns and a considerable saving even to the larger ones.

We have endeavored in every possible way to discover the reason Alabama county and municipal bonds are so unattractive to the investor. The State of Alabama, remembering her unfortunate experience during the Carpetbag Government, and believing that by so doing she could and would stop the extravagant expenditures of public moneys, wrote into its Constitution a provision under which the various sub-divisions of the State are limited in the amount of taxes which they can levy for specific purposes. The purpose for which this limitation was placed in the Constitution was a laudable one indeed, but its results have been extremely unfortunate. We find that in practically all other states the counties and municipalities are permitted unqualifiedly to pledge their credit and taxing power for the payment of the bonded indebtedness, whereas in Alabama the Constitution imposes a rigid limit upon the amount of taxes which may be levied for such purposes. In other words in practically all states throughout the country the counties and municipalities approach the bond holder with the assurance that come what may they will levy sufficient taxes to pay the debt proposed to be incurred, whereas, in Alabama, municipalities are compelled to go in the market and offer bonds, say that the debt will be paid provided the taxes the Constitution allows to be levied is sufficient to do so, if they are not, the risk is the bondholder's. The investor in municipal securities is the most conservative investor in the world. The man who is inclined to buy specula-

tive bonds is not attracted to municipals. Municipal bonds are sold to a clientele whose primary interest is the safety of principal, and whose interest in the rate of interest borne by the bonds is always secondary to that primary consideration. Obviously, therefore, such an investor looks with the greatest disfavor upon a bond to the payment of the principal of which there is any string attached, and of course, in the last analysis a limitation upon the power of taxation for the payment of the bond is a string atached to its payment. The result is that there is only a very limited number of investors who will purchase a security of this type. The larger banking institutions will not recommend them to their clients. As a result the big purchasing institutions through the country never buy Alabama county and municipal bonds as they do not feel that they can recommend them to their clients.

There is no way of avoiding this condition so long as the tax limit is retained. The result is that in Alabama a municipality enters the market under a severe handicap and the only way in which it is able to compete at all is by offering a more attractive interest rate to the purchaser to offset the strings which are attached to the payment of the principal of the obligations which it offers for sale. This is a serious handicap for the counties and municipalities of our State to labor under, and we feel sure that if the people of the state realized what the situation is, the limitations upon the taxing power for the payment of the bonds would be promptly removed from the Constitution.

We know that the people of Alabama do not incur a public debt with any intention other than that of repaying it. The only result of the tax limit is to impose upon those communities a burden of the excess interest rate mentioned above, for in order to sell our bonds it is necessary to add approximately these amounts to the interest rate to compensate for the tax limits. This, of course, means a higher rate of taxation for the payment of the debt, so that in the last analysis the only effect the tax limit has is to increase the taxes which must be levied upon the taxpayer and accordingly rather than being any benefit to him is a positive detriment. IN OTHER WORDS, THE TAX LIMIT, WHICH IS SUPPOSED TO EXIST FOR THE PROTECTION OF THE TAXPAYERS, IS BUT A COSTLY EXAMPLE OF LEGISLATIVE SHORTSIGHTEDNESS, AS IT DEFEATS ITS OWN OBJECT AND INCREASES RATHER THAN DECREASES THE TAXPAYERS' BURDEN.

We believe that if the people of the State could be brought to see this situation as it really is and to realize that through the improvement of general public credit their taxes would be actually lessened instead of increased they would very readily approve the necessary changes.

Undoubtedly what was intended by the Constitution framers was a limitation on the power to create revenue beyond a certain point for general purposes, having in mind running expenses, or general expenses, as distinguished from anything of such an important nature as might require the expenditure of large sums which would naturally have to be raised through the issuance of bonds. Limitation of taxation for running expenses of the county or municipality tends to check extravagance, but, once the qualified electors of a county or municipality have authorized by their vote an issuance of bonds for any purpose, a limitation of the amount of taxes provided for the payment of the principal and interest on the bonds tends to lessen the value of such bonds, thereby causing them to be sold at a loss to the taxpayers.

It appears that the Constitution authorizes the creation of very large debts, in some instances without any limitation whatever, but it limits the taxes for their payment. It is the opinion of this Committee that the limitation necessary should be on the amount of bonds that can be issued rather

than the amount of taxes that can be levied to pay the principal and interest of such bonds once they are authorized and outstanding. This is the real protection to the taxpayer. A debt rigidly limited will enhance the credit of the municipality. At the same time it protects the taxpayers from excessive taxes for the payment of debts.

A SYSTEM WHICH PERMITS THE STATE, OR ANY OF ITS SUBDIVISIONS, TO BORROW MONEY FOR ANY PURPOSE WITHOUT MAKING PROVISION FOR ITS PAYMENT IS FUNDAMENTALLY UNSOUND AND SHOULD NOT BE ALLOWED TO STAND.

Th situation in Alabama has resulted in a kind of general impression among the people that bonds were never intended to be paid off. We find that the counties and municipalities of Alabama have large accumulated bonded indebtedness that, upon maturity, are merely being refunded, and no provisions being made to pay off such indebtedness. We believe that provision should be made for paying off these bonds, and have endeavored to propose a plan which we think will work to this end.

We find that the Alabama county and municipal bonds now outstanding, were, in the main, either sold at a heavy discount, or were issued bearing a higher rate of interest than the same type of bonds bear in other states. This was the result of the handicaps in our laws. The holders of these bonds bought them, knowing the situation and the handicaps. The proposal we are submitting does not legislate new values into these bonds, but we are attempting to remove these handicaps from the bonds to be issued hereafter in order that the excess rate of interest that is now being paid may be saved to the taxpayers.

THE PROPOSED PLAN

(1). This committee proposes a Constitutional amendment that places an effective limit on the amount of indebtedness that a county or municipality can incur, this limit applying not only to bond debts, but to all other forms of debt.

(2). We are proposing a Constitutional amendment that permits the counties and municipalities to levy taxes sufficient to pay the principal and interest on any valid bonds hereafter issued. This proposal is designed to provide hereafter when counties and municipalities issue bonds they must provide for their payment. No new bonded indebtedness can be incurred except in case of special improvement bonds where the expense of such improvement is specially assessed against the property benefitted thereby, unless first approved by popular vote. Hereafter, if our proposed plan is adopted, the favorable vote authorizing a bond issue will include authority to the governing body of the county or municipality to arrange for the payment of the principal and interest of such bonds when due. The adoption of the amendment will within itself authorize the payment of bonds hereafter issued. Before voting, the people will be advised about the amounts necessary for taxes to pay off the principal and interest and will have an opportunity of passing on it themselves.

(3). We are proposing a bond code. We deemed it wise to re-write our statutory laws on the subject of county and municipal bonds. After considerable study and numerous conferences and correspondence with able attorneys experienced in handling bond matters, we have prepared a bill embodying the result of our work. Without undertaking to discuss the details of this bill, we state below briefly the main features that will be accomplished by enactment of this bill into law.

(a) It establishes a new financial basis for counties and municipalities that will prevent the piling up of a bonded indebtedness with no provision for paying it off.

(b). It provides for the payment of the longtime bonds in annual serial installments, ultimately resulting in a discontinuance of the Refunding Bond practice that exists now.

(c). It provides for annual maturities for all bonds hereafter issued, thus assuring a constant reduction of indebtedness and payments over long time. So that there never will be occasion for the levy of excessive taxes to meet such payments.

(d). It practically eliminates the sinking fund plan so far as new bonds are concerned.

(e). It assures more careful consideration by the people as to new bonded indebtedness for they will know when they authorize the borrowing of money they are authorizing the funds to provide for paying same.

The people of Alabama have already shown by their attitude toward State bonds that they do not object to giving the man from whom they borrow money an assurance that the money will be repaid at the time they promise to pay. This is nothing more than a policy of common honesty in dealing with our fellow man. If the proposed amendments to the Constitution are also submitted and ratified it means that counties and municipalities in Alabama will enjoy every advantage of the lowest possible interest rates, thereby insuring that the tax levies to meet payments will be held down to a minimum. After all, this is the primary objective.

We submit the result of our work as a recess committee to your most careful consideration. We would not wish to conclude this report, however, without expressing our grateful appreciation to those who have so faithfully and generously assisted us in our task.

Respectfully submitted,
A. C. Lee, Chairman,
S. W. Hawkins,
N. D. Denson, Jr.,
Chas. O. Stokes,
J. M. Moore.

COMMITTEE REPORT

On motion of Mr. Stokes, the foregoing report from the Recess Committee on Bond Laws was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate:

By Mr. Winn:

H. J. R. 67. Whereas, The calamity and distress which has fallen upon the entire nation as a result of the present disasters in the Mississippi Valley, growing out of the overflows of waters coming from over thirty States in the Union and causing death and destruction to hundreds of unprotected Americans, combined with the destruction of millions of dollars of property, are so vast and far reaching, therefore

Be it resolved that: The members of the Legislature of the State of Alabama, the Senate concurring, definitely places itself on record that the Federal Government should take such action

as may be deemed best to afford relief from the suffering and distress that now exists and to prevent, if possible, a repetition of the present disaster. To this end we recommend that the President of the United States call the Congress into extraordinary session immediately that unnecessary delay may be avoided.

Resolved further: That a copy of these resolutions be forwarded to the President of the United States.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 67, Set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bills:

By Mr. Rogers of Mobile:

H. 84. To provide for the punishment for any voter who votes, or attempts to vote more than once in a primary election.

Also:

By Mr. Simpson:

H. 138. To create a State Service Commissioner, and to fix the duties and compensation of such Commissioner, and to make an appropriation to carry out the purpose of this Act.

By Mr. Jordan of Etowah:

H. 307. To repeal an Act entitled an Act "To provide for the selection of delegates to any National Party Convention whenever a citizen of the State of Alabama is a candidate for the nomination by any political party as its candidate for election as President of the United States." approved September 13, 1923.

And ordered same sent forthwith to the Senate without engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing house message were severally read once and referred to appropriate Standing Committees as follows:

H. 84 and 307 to the Committee on Privileges and Elections.

H. 138. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested:

By Mr. St. John:

H. 69. To amend Section 3238 of the Code of Alabama.

Also:

By Mr. Waddell:

H. 87. Recognizing, ratifying, and confirming the consolidation of the State Bar with the Alabama State Bar Association, under the name of "The Alabama State Bar Association" and under the Constitution and by-laws as adopted by said consolidated body, effected in pursuance of Section 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend Section 8 of an Act entitled: 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers,' approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Section 20 is compiled and arranged as Section 6239 of the Code of Alabama of 1923.

Also:

By Mr. Waddell:

H. 93. To amend Sections 2, 5 and 20 of an Act of the Legislature of Alabama, approved August 9, 1923, entitled: "An Act to provide for the organization, regulation and government of the State Bar including admissions and disbarments of lawyers." (Acts Alabama 1923, p. 100), as said Act was amended by an Act of the Legislature of Alabama, approved September 26, 1923, entitled: "An Act to amend Section 8 of an Act entitled 'An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of lawyers," approved August 9th, 1923." (Acts Alabama 1923, p. 587), which Section 2, 5 and 20 are each respectively compiled and arranged as Sections 6221, 6224 and 6239 of the Code of Alabama of 1923.

Also:

By Mr. Monk (with notice and proof):

H. 239. To provide for the election of a County Superintendent of Education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Also:
By Mr. Simpson:

H. J. R. 63. Extending the sympathy and sorrow of the State of Alabama to the French Republic and to the comrades and families of Nungessor and Coli and expressing appreciation for their contribution to human progress and making grateful acknowledgment to Lindberg, Chamberlain and Levine of the debt owed by the American people.

Also:
By Mr. Rogers of Mobile:

H. J. R. 64. Accepting the invitation extended by the people of Mobile to the Legislature of Alabama to visit Mobile on June 14th, 1927, to inspect the State Docks and attend the dedication of Cochrane Bridge.

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolutions; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has concurred in and adopted:

S. J. R. 49. Relative to adjournment of the two Houses until Wednesday, June 15th, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in the following Amendment by the House to S. J. R. 49, set out in the foregoing Message from the House, to-wit:

Amend S. J. R. 49, by striking therefrom "ten A. M." where it occurs in the Resolution and inserting in lieu thereof "two o'clock P. M."

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 50. Relative to extending sympathy to the flood sufferers and petitioning the President of the United States to take the necessary steps to remedy conditions in the flooded district.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

JOINT SESSION

The hour of 12 o'clock having arrived, pursuant to S. J. R. 47 heretofore adopted, the Senate repaired to the hall of the House of Representatives to attend the Joint Session to do honor to the memory of two distinguished former governors of Alabama to-wit: The late Hon. Edward A. O'Neal and the late Hon. Emmet O'Neal.

The purposes of the joint session having been accomplished, the Senate returned to its chamber and was called to order by Lieutenant Governor Davis.

ROLL CALL

Present:

Messrs:				
Bonner	Craft	Jackson	Thompson	
Bradford	Ellis of Shelby	Mitchell	Walton	
Brown	Fite	Moore	Williams	
Carlton	Hall	Stokes	Young	
Cowan	Jack	Teasley		—19

RECONSIDERATION OF VOTE

Mr. Craft moved that the vote by which the Senate just adopted the resolution:

S. R. 48. Resolved by the Senate that the Secretary of the Senate is hereby authorized to employ four typists and that the per diem of the said typists is hereby fixed at six dollars per day.

Resolved, further, that the per diem of the Comparing Clerk of the Senate shall be five dollars per day from and after the adoption of this resolution.

Be re-considered.

Mr. Teasley moved that the motion of Mr. Craft be laid upon the table, which motion prevailed and the motion to re-consider was laid upon the table.

Yeas, 12; Nays, 6.

Yeas:
Messrs:

Bradford	Edgar	Jackson	Teasley	
Carlton	Fite	Moore	Walton	
Craft	Hall	Stokes	Williams	
				—12

Nays:
Messrs:

Brown	Jack	Nolen	Young	
Ellis of Shelby	Mitchell			
				—6

PAIR ANNOUNCED

Mr. Bonner announced that he and Mr. Ellis of Dallas were paired on this vote: that Mr. Ellis of Dallas, if present, would vote yea, and he, Mr. Bonner, would vote nay.

BILL RE-CALLED AND RE-REFERRED

Mr. Bradford moved that the bill:

S. 254. To provide for the election of a county superintendent of education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Be recalled from the Committee on Judiciary and re-referred to the Standing Committee on Local Legislation, which motion prevailed and said bill was recalled from the Committee on Judiciary and re-referred by the President of the Senate to the Standing Committee on Local Legislation.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 21st legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 21st legislative day was approved by the Senate.

ADJOURNMENT

At 1:20 P. M., on motion of Mr. Teasley and pursuant to S. J. R. 49 heretofore adopted, the Senate adjourned until Wednesday, June 15, 1927 at 2 P. M.

TWENTY-SECOND DAY

Wednesday, June 15th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rep. Hollis, member of the House.

ROLL CALL

Present:

Messrs:

Bradford	Ellis of Shelby	Jackson	Oliver
Brown	Fite	James	Stanley
Caffey	Hall	Jones	Teasley
Cowan	Hines	Justice	Thompson
Craft	Holmes	Loflin	Walton
Edgar	Jack	Mitchell	Warren
Ellis of Dallas			

—25

JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Fite, indefinite leave of absence was granted to Lewis Bowen, page, on account of illness.

On motion of Mr. Ellis of Dallas, leave of absence was granted Messrs Carlton, Walker, Williams Bonner and Young for today.

On motion of Mr. Bradford, leave of absence was granted Mr. Nixon for today.

On motion of Mr. Teasley, leave of absence was granted Mr. Stokes for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mitchell:

S. 266. To amend an Act entitled An Act to prescribe the qualications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents

of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

Education.

By Mr. Fite (With N. & P.):

S. 267. To extend, alter and re-arrange the boundary line and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

Municipalities and Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of a law, the substance of which proposed law is as follows:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to inclde within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and rearranged.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, be, and the same are, hereby extended, changed, altered and re-arranged so that the boundary lines and corporate limits of said Town shall embrace and include all that territory of land embraced and included in the folowing limits and boundaries, to-wit:

Begin at the northeast corner of Section 7, Township 17 South, Range 2 West, thence west along the north line of Section 7, Township 17 South, Range 2 West, 2762.75 feet to its intersection with the East boundary of the main line right of way of the Louisville & Nashville Railroad Company, thence south along said east boundary line of said right of way of Louisville & Nashville Railroad Company's main line 1257 feet to the south right of way line of the county road, thence at an angle of 81 degrees 15 minutes to the left 224.3 feet, thence at an angle of 8 degrees 36 minutes to the left 609.6 feet, thence with an angle of 87 degrees 26 minutes to the right 1804.8 feet, thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet, thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal, thence with an angle of 137 degrees 28 minutes to the left, following said northwestern right of way line 3138.37 feet to a point of curvature, thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 682.61 feet to a point of curvature, thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south line of the northwest quarter of northwest quarter

of Section 8, Township 17 South, Range 2 West, thence 714.98 feet west along the said south line of northwest quarter of northwest quarter of Section 8, Township 17 South, Range 2 West, to the east line of Section 7, Township 17 South, Range 2 West, thence with an angle of 88 degrees 38 minutes to right, running north along said east line of Section 7, Township 17 South, Range 2 West, 1322.3 feet to the point of beginning. Situated in Jefferson county, Alabama.

Section 2. That all that territory embraced within said area described in Section 1 hereof be, and the same is, hereby included within and made a part of said Town of Tarrant City.

Section 3. That the boundaries and corporate limits of the said Town of Tarrant City, as hereby extended, altered and rearranged, shall be, and are, hereby defined and established as follows:

Beginning at the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, thence north along the east boundary of the west half of the northwest quarter of said Section 9 and along the east boundary of the West quarter of Section 4, Township 17 South, Range 2 West, to the northeast corner of the northwest quarter of northwest quarter of said Section 4; thence west along the north boundary of Section 4 and Section 5, Township 17 South, Range 2 West, to its intersection with the west bank of Five Mile Creek; thence down said Five Mile Creek along its north and west bank and following the meandering of same to its intersection with the eastern boundary line of the right of way of the main line of the Louisville & Nashville Railroad Company, thence in a southerly direction along said eastern boundary line of the right of way of the Louisville & Nashville Railroad Company to its intersection with the south right of way of the county road, at a point 1257 feet south of the north boundary of Section 7, Township 17 South, Range 2 West, thence with an angle of 81 degrees 15 minutes to the left 224.3 feet; thence with an angle of 8 degrees 36 minutes to the left 609.6 feet; thence with an angle of 87 degrees 26 minutes to the right 1804.8 feet; thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet; thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal; thence with an angle of 137 degrees 28 minutes to the left, following said right of way line of said canal 3138.37 feet to a point of curvature; thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency; thence folowing said tangent and traversing said right of way line 682.61 feet to a point of curvature; thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency; thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south boundary line of the northwest quarter of the northwest quarter, Section 8, Township 17 South, Range 2 West; thence east along the said boundary line of the northwest quarter of the northwest quarter, Section 8, to the southeast corner of the northeast quarter of the northwest quarter, Section 8, Township 17 South, Range 2 West; thence south along the west boundary line of the southwest quarter of the northeast quarter, Section 8, Township 17 South, Range 2 West, to its intersection with the south line of Oak Park Addition as recorded in Book of Maps, Volume Nine (9), page eighty-five (85), Probate Office of Jefferson county, Alabama; thence east along said south line of said Oak Park Addition to the west line of the southeast quarter of the northeast quarter of said Section 8; thence south along the west line of the southeast quarter of the northeast quarter of said Section 8 to the southwest corner of the southeast quarter of the northeast quarter of said Section 8; thence east along the east and west center line of Sections 8 and 9, Township 17 South, Range

2 West, to the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, the point of beginning. Situated in Jefferson county, Alabama.

Section 4. That all laws and parts of laws in conflict or inconsistent with this act be, and are, hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

Published by order of the Town Council of the Town of Tarrant City, Alabama.

Wallace Wells, Town Clerk.

THE STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority, in and for said County, in said State, personally appeared the undersigned Charles T. Atkinson, who being by me duly sworn deposes and on oath says that he is the Managing Editor of the Tarrant City Booster, a newspaper published in the Town of Tarrant City, in Jefferson County, Alabama, and that the foregoing notice and copy of an act to extend, alter, and re-arrange the boundary lines of the corporate limits of the Town of Tarrant City was published without cost to the State of Alabama, in the issues of said Tarrant City Booster for four consecutive weeks, viz: in the issues of said paper published on April 29th, 1927, May 6th, 1927, May 13th, 1927 and May 20th, 1927.

Chas. T. Atkinson
Managing Editor.

Subscribed and sworn to before me this the 13 day of June, 1927.

Walla C. Wells,
(Seal) Notary Public.

By Mr. Justice:

S. 268. To provide the means and methods of selecting medical and surgical staffs for city, county and charity hospitals and to formulate the plan of operation for said hospitals, prescribe a punishment for the violation thereof.

Public Health.

By Mr. Justice:

S. 269. To amend Section 5001 of the Code of 1923.

Judiciary.

By Mr. Justice:

S. 270. To amend Section 1156 of the Code of 1923.

Public Health.

By Mr. Stanley:

S. 271. To amend Section 2984, Code 1923.

Finance and Taxation.

By Mr. Fite: (By request):

S. 272. To amend Section 7764 of the Code of Alabama.

Judiciary.

By Mr. Fite: (By request):

S. 273. For the relief of Lucien W. Brown.

Local Legislation.

With Notice and Proof thereto attached and herewith exhiibted as follows:

NOTICE

Notice is hereby given that a bill wil be introduced at the 1927 session of the Legislature of Alabama, as follows, to-wit:

A BILL

To be entitled an act for the relief of Lucien W. Brown:

Be it enacted by the Legislature of Alabama:

1. That the Board of Revenue of Jefferson County is hereby authorized and directed to draw or cause to be drawn a warrant on the County Treasurer of Jefferson County in favor of Lucien W. Brown for the sum of $4283.82, covering amount erroneously paid into the County Treasury of said County by said Lucient W. Brown, while acting as Clerk of the Third Division of the Municipal Court of Birmngham, Alabama. And the Treasurer of Jefferson County is hereby directed and required to pay such warrant out of any money in the treasury not otherwise appropriated.

2. This act shall take effect immediately on approval by the Governor.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on January 8, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public.

REPORT OF COMMITTEE

Mr. Justice, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Oliver:

S. 258. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

By Mr. Oliver:

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

By Mr. Oliver:

S. 259. To amend Section 2 of the Code of 1923.

By Mr. Oliver:

S. 260. To amend Section 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146 of Chapter 31 of Article 1, of the Code of Alabama of 1923, all relating to the public health of Alabama.

By Mr. Oliver:

S. 256. To repeal section 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency the Governor, with his objections and proposed amendment to the bill:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Said Governor's Message containing the proposed amendment being in the following words and figuers, to-wit:

To the Legislature of Alabama,
Gentlemen of the House:

I herewith return to the House in which originated said House Bill No. 255 without my approval.

The following executive amendment is suggested, which if adopted, will render the bill immune from further objection so far as the executive is concerned.

Amend said bill so as to read as follows:

"To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

Be it enacted by the Legislature of Alabama:

That lands in the purchase of which any municipality of the State has invested money pursuant to the terms of a lease sale contract or option agreement shall, during the life of such lease sale contract or option agreement, be exempt from ad valorem taxation so long as said lands are being used by such municipalities for park, municipal, or other public purpose, or where the same are contracted for and in the possession of such municipalities with the bona fide intention of being so used.

Provided, however, that this Act shall only apply to cities having more than one hundred thousand (100,000) population, according to the last or any subsequent Federal census."

Respectfully,
Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to said bill by a vote of a majority of the whole number elected to the House, said vote being Yeas, 90; Nays, 0.

And said bill as amended by the amendment proposed by the Governor to the bill was again read a third time, at length and passed, by a vote of a majority of the whole number elected to the House, said vote being Yeas, 78; Nays, 0.

And said bill together with the Governor's Message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Ellis of Dallas, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to H. 255, the title of which and said Governor's amendment is set out in the foregoing Message from the House.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Jack	Oliver
Caffey	Ellis of Shelby	James	Stanley
Cowan	Fite	Jones	Teasley
Craft	Hall	Justice	Thompson
Edgar	Hines	Loflin	Walton

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. 255, as thus amended by the amendment of His Excellency, The Governor, was again read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Bradford	Fite	Jones	Stanley
Caffey	Hall	Justice	Teasley
Cowan	Hines	Loflin	Thompson
Craft	Jack	Mitchell	Walton
Edgar	James	Oliver	Warren
Ellis of Shelby			

—21

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the folowing bill and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Beebe (With notice and proof):

H. 326: To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for

said County in lieu of the Court of County Commissioners to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the County of Baldwin into four Board of Revenue Districts; to provide a clerk and assistant clerk for the said Board of Revenue and to fix their duties and compensation and to provide for a County Engineer as Superintendent of Roads and to repeal all laws in conflict with the provisions of this act.

Notice and proof H. 326:

NOTICE OF LOCAL BILL

Notice is hereby given that there will be introduced in the Legislature of Alabama at its 1927 session a local bill to be entitled "an act to abolish the Court of County Commissioners of Baldwin County, Alabama, to establish a Board of Revenue for said County, in lieu of the Court of County Commissionerss; to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the County of Baldwin into four Board of Revenue Districts; to provide a clerk and assistant clerk for the said Board of Revenue and to fix their duties and compensation and to provide for a County Engineer and Superintendent of Roads and to repeal all laws in conflict with the provisions of this act," which said bill is substantially to provide as be substantially in the following words and figures:

A BILL

To be entitled An Act to ablish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said County in lieu of the Court of County Commissioners; to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the County of Baldwin into four Board of Revenue Districts; to provide a clerk and assistant clerk for the said Board of Revenue and to fix their duties and compensation and to provide for a County Engineer as Superintendent of Roads and to repeal all laws in conflict with the proviisons of this act.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created in and for Baldwin County Alabama, a court of record styled the Board of Revenue, which said Court shall be composed of the Judge of Probate as principal judge and four associate members.

diction, power and duty:

Section 2. The said Board of Revenue shall have the authority, juris-

To drect and control the property of Baldwin County, as it may deem expedient according to law, and in this direction and control it has the sole power to locate the courts in the rooms of the courthouse and to designate the rooms to be occupied by the different officers entitled to rooms therein, and to change the location of courts and designation of rooms for officers as it may deem best and most expedient, and this shall be done by order of the court entered upon its minutes at a regular term of the court;

It shall be the duty of the Court to provide a janitor for the courthouse and see that the janitor keeps clean and in a sanitary condition all the courthouse rooms, corridors, halls, and offices in the courthouse of said County;

To levy a general tax, for general, and a special tax, for special county purposes, according to the provisions of the laws of Alabama;

To examine, settle and to allow all accounts and claims chargeable against the County;

To audit and examine the accounts of all officers having the care, management, collection, or disbursement of money belonging to the County, or appropriated for its use and benefit, and may have the books of said officers audited and examined by accountants, when it deems the same necessary:

To make such rules and regulations for the support of the poor in the County as are not inconsistent with any law of the State.

To punish for contempt by fine, not exceeding $10.00 and imprisonment not exceeding six hours.

To establish, abolish, enlarge, or change stock law districts in the manner provided by law;

To subpoena, examine and compel the attendance of witnesses, and the production of books and papers before the Board of Revenue in the same manner as the Probate Courts;

To contract and have made map or plat books showing all subdivisions of land that may have been heretofore or that may hereafter be made in said County;

To compromise on such terms as they may deem just all doubtful claims in favor of the County, when such claims arise on account of moneys heretofore paid, in good faith, by order of the Court of County Commissioners of Baldwin County, Alabama, or that may hereafter be paid in good faith by order of the Board of Revenue created by this act;

To make an appropriation not to exceed one thousand dollars ($1,000.00) per year to install and maintain an exhibit of the agricultural and mineral resources of Baldwin County;

To make provision in accordance with the law of this State for paupers or indigent persons and to that end it may establish a poorhouse or may make appropriation in behalf of paupers or indigent persons entitled to relief from the County not exceeding Six Dollars ($6.00) per calendar month for each person to meet the needs and expenses of such paupers or indigent persons; it shall not be lawful for the Board of Revenue to let to the lowest bidder the maintenance of the poor;

To pay the regular legal rate, for the advertising of notice and substance of local bills which may be introduced in the legislature for the benefit of Baldwin County or in reference to subjects or matters exclusively relating to the business affairs of said County;

To appropriate in each calendar year such sum of money as they may deem proper or expedient towards defraying the necessary expenses of the operation, support, upkeep and maintenance of each division of the naval militia of the State that may be located in said County;

To procure and provide a suitable number of telephones for the use of the officers of the County and the officers of the Circuit Court, for said County and to locate such telephones in the respective offices or at places accessable to such offices and to pay for the same out of the general funds of the County;

To make appropriations out of the County treasury to pay premiums on live stock that may be exhibited in live stock shows held in the County;

When the State or Federal authorities have taken up the work of farm demonstration, or the organization of farm life clubs for the promotion of agriculture, to appropriate for aiding such work such sum or sums as the Board of Revenue may deem adequate and necessary;

To expend money for the purpose of improving the sanitary condition of said county by laying trunk lines of sewers and constructing sewage disposal plants in localities contiguous to thickly populated communities and to prescribe the terms on which owners of houses or householders may connect with such lines of sewers; but no such lines of sewers shall be laid without the written approval of the executive officer of the State Board of Health, such approval to be based on the belief that the laying of any proposed line will materially improve health conditions;

To appropriate money to promote or enforce the health and quarantine laws of the state for the benefit of the County and its inhabitants when requested so to do by the State Board of Health;

To pay out of any funds of the County treasury, all the expenses including a reasonable attorney's incurred by the County Treasurer or County Depository in resisting the payment of any warrant, where said resistance on the part of the County Treasurer or County Depository is successful;

To issue and sell any bonds which have been heretofore lawfully authorized to be issued and sold by the Court of County Commissioners or that may hereafter be lawfully authorized to be sold on behalf of said County;

To set aside, appropriate and use such part of the revenue of the County as may be deemed expedient for the purpose of creating a sinking fund for the payment of bonds or other indebtedness, and to invest such sinking fund in interest-bearing securties, or deposit the same on interest-bearing account, within the State, as said Court may deem wise;

To have a General Superintendent of the public roads, bridges and ferries within said County, and may construct new roads, bridges and ferries or change or discontinue old roads, bridges and ferries in said County, so as to render travel on the same as safe and convenient as practical; to this end the said Board of Revenue shall have all the legislative, judicial and executive powers now or that may hereafter be conferred upon, of the Court of County Commissioners and Boards of Revenue or like governing bodies of Counties; and the said Board of Revenue is a Court of unlimited jurisdiction and power as to the construction, maintenance and improvement of the public roads, bridges and ferries in said County, except as its jurisdiction or power may be limited by local or special statutes of the State; it may also establish, promulgate, and enforce rules and regulations, make and enter into such contracts as may be necessary, or as may be deemed necessary or advisable by such Board of Revenue, to build, construct and maintain a good system of public roads, bridges and ferries in said County, and regulate the use thereof; but no contract for the construction or repair of any public roads, bridges or bridge shall be made where the payment of the contract price for such work shall extend over a period of more than ten (10) years;

The Board of Revenue shall employ a competent engineer as superintendent of roads and bridges, who, under their direction and control, shall have general superintendence of all location, construction, maintenance and repair of roads, and bridges in said County; the Board of Revenue shall fix the salary of such engineer and prescribe duties, and may dismiss him at will;

To employ counsel for the Board of Revenue under such contract as it shall deem advantageous;

To have and to exercise the powers, jurisdiction, authority, duties and privileges, legislative, judicial, executive and ministerial that are now or may hereafter be conferred upon Court of County Commissioners, Boards of Revenue or other like governing bodies of the County.

Section 3. The Judge of Probate of Baldwin County as principal judge of the Board of Revenue shall be its presiding officer and shall sign the minutes of the proceedings of the Board of Revenue and shall be a member thereof and shall have the rights, power, authority, privileges and duties as

a member thereof; and he shall sign all warrants drawn on the County Treasury and all orders drawn on the funds or disbursements of the County; and he shall sign all contracts entered into by the county and it shall be his duty to prepare the order of business and obtain the information for the sessions of the Board and see that all orders thereof are properly executed; and in addition thereto he shall perform all duties and have all rights, powers, jurisdiction and privileges that may now or hereafter be granted to and required of the Judge of Probate as principal judge of the Court of County Commissioners as to matters coming before courts of County Commissioners, except as otherwise provided in this act; and he shall exercise such jurisdiction, power, privileges and dutes in the manner now or hereafter prescribed to the Judge of Probate as principal judge of the Court of County Commissioners under the general laws of the State of Alabama; and he shall also be the clerk of the said Board of Revenue; and under the direction of such Board of Revenue as clerk, he shall keep the records and proceedings in well-bound volumes provided for that purpose and said records to be kept in the office of the Judge of Probate for examination by citizens of the County and other interested parties; and he shall perform such other duties as clerk as are required of him by said Board of Revenue; and whenever in the opinion of the said Board of Revenue the business of the County requires it, the Court may provide an assistant clerk, prescribe his duties, fix the term of his employment, and his compensation and may dismiss at will such assistant clerk; such assistant clerk shall perform such duties as shall be required of him in the name of the Probate Judge as clerk of said Board of Revenue and under the supervision and direction of Judge of Probate as clerk of said Board of Revenue.

Section 4. The Associate members of the Board of Revenue, individually and collectively, and as a Court shall have and exercise all the jurisdiction, power, duties, authority and privileges now or that may hereafter be granted and conferred upon Commissioners of the Court of County Commissioners under the general laws of the State of Alabama and they shall exercise such jurisdiction, power, authority and privileges in the manner now or hereafter prescribed by the general laws of the State of Aabama to Commissioners of the Courts of County Commissioners; and they individually and collectively and as a court shall be subject to all the disabilities, limitations, restrictions and penalties to which members of the County Commissioners are now and may hereafter be subject under the general laws of the State of Alabama.

Section 5. That all general laws hereinafter enacted in relation to the jurisdiction, power, duties and privileges and limitations, restrictions and penalties of the Court of County Commissioners or like governing bodies of the County or in relation to such Court or like governing bodies shall apply to and govern the Board of Revenue created by this Act, and the principal judge and associate members thereof.

Section 6. That the present Judge of Probate of Baldwin County and his successors in office shall be a member of said Board of Revenue and shall be its principal judge; that C. S. Tompkins of Stockton, Alabama, W. R. Lacky of Stockton, Alabama, J. W. Randall of Loxley, Alabama, and J. B. McGrew of Miflin, Alabama, are each hereby named, declared and designated to be the associate members of said Board of Revenue for the respective terms named in this act, viz: J. W. Randall and C. S. Tompkins shall each hold office the first Monday after the Second Tuesday in January, 1929 or until their successors are elected and qualify; W. R. Lacky and J. B. McGrew shall each hold office until the first Monday after the second Tuesday in January, 1931, or until their successors are elected and qualify; provided the said designated associate members of said Board of Revenue must qualify as members of the Board of Revenue within fifteen (15) days after the approval of this act; in the event either of them shall not qualify within

such time then the Governor of the State of Alabama shall fill such vacancy by appointment in the manner provided for appointment of members of the Court of County Commissioners under the general laws of this State.

Section 7. The Judge of probate as principal judge of the Board of Revenue created by this act and associate members of such Board of Revenue shall subscribe to the oath required of Commissioners of the Court of County Commissioners under the general laws of the State.

Section 8. Members of the Board of Revenue created by this act shall have the same qualifications as are now or may hereafter be prescribed for members of the Court of County Commissioners under the general laws of Alabama and in addition thereto they shall reside in and be a qualified voter in the respective District from which they are elected. They shall be elected by the qualified electors of the County at large. The provision of this Section requiring the members of the Board to live within the respective districts from which they were elected shall not apply to the associate members named and designated herein, but for the term for which they are designated by this act, they may reside within any part of the County; and for the term for which they are herein designated they shall be designated as follows:—C. S. Thompkins shall be designated as Associate Member of the Board of Revenue from Board of Revenue District No. (1); W. R. Lackey shall be Designated as Associate Member of Board of Revenue from Board of Revenue District No. two (2); J. W. Randall shall be designated as Associate Member of the Board of Revenue from Board of Revenue District number three (No. 3); J. B. McGrew shall be designated as Associate Member of the Board of Revenue from Board of Revenue District No. Four (4).

Section 9. That the County of Baldwin be and is hereby divided into four (4) Board of Revenue Districts numbered one (1), two (2), three (3), four (4). Board of Revenue District number one (1) shall embrace that part of Baldwin County north of Township line dividing Townships (1) North and one (1) south; Board of Revenue District number two (2) shall embrace all that part of Baldwin County lying between the line dividing the township one (1) north and one (1) south and the Township line dividing Townships (3) and four (4) South; Board of Revenue District number three (3) shall embrace all that part of Baldwin County lying between Township line dividing Townships three (3) and four (4) south and the Township line dividing Township six (6) and seven (7) south; Board of Revenue District number four (4) shall embrace all that part of Baldwin County lying south of the Township line dividing Township six (6) and seven (7) south.

Section 10. That the term of the Judge of Probate as principal Judge of said Board of Revenue shall be co-extensive with his term as Judge of Probate; that term of office of the associate members of the Board of Revenue commencing with the expiration of the terms designated in Section 4 of this act, shall be four (4) years, or until their successors are elected and qualified. That at the regular election of State and County officers to be held on the first Tuesday after the first Monday in November, 1928, and every four (4) years thereafter there shall be elected an associate member of the Board of Revenue from each of the Board of Revenue Districts as designated herein as Districts one (1) and three (3), who shall succeed C. S. Thompkins and J. W. Randall, each of whom shall hold office for four (4) years and whose term of office shall commence on the first Monday after the second Tuesday in January succeeding their election; that at the regular election be held for State and County officers on the first Tuesday after the first Monday in November, 1930, and every four years thereafter there shall be elected an associate member of the Board of Revenue created under this act from each Board of Revenue District designated herein as Districts

two (2) and four (4) who shall succeed W. R. Lackey and J. B. McGrew, whose term of office shall commence on the first Monday after the second (2) Tuesday in January next succeeding the election.

Section 11. In case of a vacancy in the office of associate member of the Board of Revenue of Baldwin County, Alabama, the Governor of Alabama shall fill such vacancy by appointment and the person so appointed shall hold office for the repainder of the term of the sasociated member in whose place he shall be appointed.

Section 12. No member of the Board of Revenue shall discharge the duties either as deputy or principal in any other office.

Section 13. The Probate Judge and two (2) associate members of the Board of Revenue or any three (3) associate members without the Judge of Probate shall constitute a quorum.

Section 14. The regular session of the Court shall be the second Mondays in February, May, August and November, and they shall continue to sit from day to day until the business of the Court shall have been attended to; and they may adjourn to meet at a later date by resolution entered upon the minutes of the Court and no notice of such adjourned meeting shall be necessary.

Section 15. That the Judge of Probate as principal judge of said Court shall receive as compensation for his services required under this act the same salary, fees and compensation now or that may hereafter be allowed to the Judge of Probate for like service as principal judge of the Court of County Commissioners under the general laws of the State of Alabama; the associate members of such Court shall each receive a salary of Twelve Hundred and no-100 Dollars ($1200.00) per annum as full compensation for the services required under this act, such salary to be paid in monthly instalments of One Hundred Dollars ($100.00) payable out of the General Treasury of the County in the manner now or hereafter required for the payment of compensation to Commissioners of the Court of County Commissioners; Provided that such per diem fees, salaries and other compensations as are now or shall hereafter be allowable to them as a Board of Review or other like body under the general laws of the State of Alabama shall be in addition to the salary herein provided.

Section 16. Whenever in his judgment the Judge of Probate as principal judge or in the judgment of two (2) associate members of such Board of Revenue as special session is necessary or desirable, they may call a special meeting of the Board of Revenue upon three (3) days notice by advertisement in some newspapers published in the County or by posting at the courthouse door or two (2) other public places in the County; the sessions of the Board of Revenue shall be held at the courthouse of said County.

Section 17. That the Court of County Commissioners of Baldwin County as now existing shall be and is hereby abolished.

Section 18. That nothing in this act shall invalidate or abridge any legal contract, agreement or obligation heretofore entered into by or for the Court of County Commissioners on behalf of the County and all such obligations on behalf of the County shall be binding upon the Board of Revenue created by this Act.

Section 19. That if any section, paragraph or division of this act shall be declared unconstitutional or void for any reason, it shall not effect the validity of the remaining sections, paragraphs, provisions or portions of this act.

Section 20. That all laws and parts of laws, general, local or special in conflict with the provisions of this act be and the same hereby are repealed.

Section 21. That this act shall take effect immediately upon its approval.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Baldwin County.

R. B. Vail, being duly sworn, deposes and says that he is the Publisher of the Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of Notice of Bill to abolish Court of County Commissioners and establish Board of Revenue was published in said newspaper for four consecutive weeks in the following issues:

Date of first publication: January 20th, 1927, Vol. 37, No. 51.
Date of second publication: January 27th, 1927, Vol. 37, No. 52.
Date of third publication: February 3rd, 1927, Vol. 38, No. 1.
Date of fourth publication: February 10th, 1927, Vol. 38, No. 2.

Subscribed and sworn to before the undersigned this 10th day of February, 1927.

R. B. Vail,
Publisher.
Ursula Osear,
(Seal) Notary Public, Baldwin County, Ala.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing committee as follows:

H. 326 to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Tunstall:

H. J. R. 69. Resolved, by the House the Senate concurring, that when the two Houses adjourn today they adjourn to meet Friday, June 17th, 1927.

And sends same herewith to the Senate for its consideration

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Justice the Senate concurred in and adopted H. J. R. 69 set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

S. 172. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general fund in the State Treasury, not otherwise appropriated, for the relief of the State Child Welfare Department.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Thompson
Brown	Hall	Loflin	Walker
Caffey	Hines	Moore	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Stanley	Williams
Edgar	James	Teasley	Young
Ellis of Dallas	Jones		

—26

Nays—None.

The Bill:

S. 46. To establish an inferior court in precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the city of Bessemer, in lieu of all justices of the peace, in said precincts and in lieu of all other inferior courts, created in lieu of justices of the peace heretofore created in said territory, to define the jurisdiction and powers of the said court, the judge, clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said judge, clerks and officers of said court, the payment of their salaries and the manner of their appointment and election.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Thompson
Brown	Hall	Loflin	Walker
Caffey	Hines	Moore	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Stanley	Williams
Edgar	James	Teasley	Young
Ellis of Dallas	Jones		

—26

Nays:—None.

The Bill:

S. 156. To repeal Section 7539 of the Code of Alabama, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Stanley	
Caffey	Fite	Justice	Thompson	
Cowan	Hall	Loflin	Walker	
Craft	Jack	Mitchell	Walton	
Edgar	Jackson	Moore	Warren	
Ellis of Dallas	James	Oliver		—23

Nays:—None.

The Bill:

S. 171. To make an appropriation for the Equipment and Maintenance of the Alabama Room in the Confederate Memorial Museum at Richmond, Virginia.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 0.

Yeas:
Messrs.:

Bradford	Ellis of Dallas	Jackson	Oliver	
Brown	Ellis of Shelby	James	Stanley	
Caffey	Fite	Jones	Thompson	
Cowan	Hall	Loflin	Walton	
Craft	Holmes	Mitchell	Warren	
Edgar	Jack	Moore		—23

Nays:—None.

The Bill:

S. 65. To provide for the special relief of Canerdy Jackson by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Dallas	Jack	Oliver	
Brown	Ellis of Shelby	Jackson	Stanley	
Caffey	Fite	James	Thompson	
Cowan	Hall	Jones	Walton	
Craft	Holmes	Loflin	Warren	
Edgar				—21

Nays:—None.

The Bill:

H. 124. To amend Sections 7167, 7168, 7171 and 7172 of Article 23, of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 18; Nays, 0.

Yeas:
Messrs:

Caffey	Fite	James	Stanley
Cowan	Hall	Jones	Thompson
Edgar	Hines	Mitchell	Walton
Ellis of Dallas	Jack	Oliver	Warren
Ellis of Shelby	Jackson		

—18

Nays:—None.

The Bill:

H. 202. To amend an Act entitled An Act to impose a per capita road tax in lieu of personal service on the public roads of Choctaw County, Alabama, to provide for the collection of such tax and the disposition of the proceeds thereof; to provide for the appointment of a road supervisor for said County; to provide for the appointment of road overseers; to authorize the appointment of a road engineer, and to otherwise provide for the more efficient construction, maintenance and improvement of the pub- roads and bridges in said Choctaw County, Alabama, approved Sept. 27, 1923.

Was taken up.

The Standing Committee on Local Legislation reported the following Amendment to said bill to-wit:

Amend Section 24 of House Bill 202 by striking out the words "April 1927" and substituting in lieu thereof the words "January 1928."

Which was adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Thompson
Brown	Hall	Loflin	Walker
Caffey	Hines	Moore	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Stanley	Williams
Edgar	James	Teasley	Young
Ellis of Dallas	Jones		

—26

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		—26

Nays:—None.

The Bill:

H. 201. To abolish the Board of Revenue of Choctaw County, to establish in lieu thereof a Board of Commissioners of Choctaw County and to define and regulate its authority, powers and duties, to divide the County into four Commissioners Districts, to provide for appointment and election of the members of said Board and to provide for their salaries and fix their terms of office.

Was taken up.

The following amendment reported by the Standing Committee on Local Legislation to-wit:

Amend Sections 1, 5 and 13 of House Bill 201 by striking out wherever they occur in said sections, the words "April 1927" and substituting in lieu thereof the words "January 1928."

Was adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		—26

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		

—26

Nays:—None.

The Bill:

S. 183. To establish a board of revenue for Chilton County, Alabama, to consist of five (5) members, one of which members shall be the Chairman of said Board of Revenue; To divide Chilton County, Alabama, into five (5) Districts to be known as Board of Revenue Districts and define and establish the boundaries thereof; to provide that each of said Districts shall have a member on said Board; to abolish the Court of County Commissioners of Chilton County, Alabama; to confer upon the Board of Revenue of Chilton County, Alabama, all the powers, authority and jurisdiction now possessed or which may hereafter be possessed by Courts of County Commissioners, Board of Revenue or other like governing bodies of the several counties of Alabama under the general laws; to provide for a clerk of said board of revenue and to prescribe and fix his duties and compensation; to prescribe the duties, qualifications and compensation of the members of said board; to provide for the election and appointment of the members of said board of revenues and fix their terms of office; to provide the time when this bill or act shall become a law.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs.:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		

—26

Nays:—None.

The Bill:

S. 181. To provide for the manner of the election of the members of the Board of Education for Chilton County, and to prescribe the district from which each member thereof shall be

elected and to prescribe their term of office, powers and duties and to provide that one member of such board shall be elected from each said districts.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:

Messrs.:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		—26

Nays:—None.

The Bill:

H. 135. To fix the salary of the deputy soliictor for Escambia County, Alabama, and provide for the manner of payment of the same.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:

Messrs:

Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Thompson
Craft	Jack	Moore	Walton
Edgar	Jackson	Nolen	Warren
Ellis of Dallas	James		—26

Nays:—None.

ORDER TO PRINT

Mr. Hinds moved that further consideration of the bill:

S. 169. Alowing boxing, sparring and wrestling matches and exhibitions under the regulations and supervision of the Alabama athletic commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this act, or rules of said commission.

Be postponed until the twenty-fourth Legislative Day and that five hundred copies of said bill be printed.

Mr. Teasley moved that the motion of Mr. Hines be laid upon the table, which motion was lost and the Senate refused to table Mr. Hind's motion.

Yeas, 11; Nays, 15.

Yeas:
Messrs:

Cowan	Fite	Mitchell	Teasley	
Craft	Holmes	Moore	Walton	
Edgar	Jackson	Oliver		—11

Nays:
Messrs:

Bradford	Ellis of Shelby	James	Stanley	
Brown	Hall	Jones	Thompson	
Caffey	Hines	Justice	Warren	
Ellis of Dallas	Jack	Loflin		—15

The question then recurred on the motion of Mr. Hines, which motion prevailed and the further consideration of said bill was postponed until the twenty-fourth Legislative day and five hundred copies thereof ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed:

By Mr. Waddell:

H. 176. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama, to be known as the caustic alkaldi or acid Act. And prescribe a punishment for the violation thereof.

And ordered same sent forthwith to the Senate without Engrossment.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 176. To the Standing Committee on Public Health.

REPORT OF THE CHAIRMAN OF THE SENATE RECESS COMMITTEE ON PUBLIC ROADS AND HIGHWAYS TO THE SENATE OF ALABAMA, IN REGULAR SESSION CONVENED: AT THE TERMINATION OF THE RECESS TAKEN BY THE LEGISLATURE ON FEBRUARY 18, 1927, AND RECONVENED JUNE 7, 1927:

The Recess Committee of the Senate on Public Roads and Highways, beg to report, that in pursuance of Senate Joint Resolution 95 (S. J. R. 43, Rules) under which it has performed the duties allotted to it, is in words and figures as follows, to-wit:

"Resolved by the Senate, that there is hereby created a Recess Committee from the Senate to be known as Recess Committee on Public Roads

and Highways to consist of six members to be appointed by the Presiding Officer of the Senate.

"Be it further resolved by the Senate, The House concurring, That the public Roads and Highways Recess Committee of the Senate is hereby directed and requested to sit with the Recess Committee of the House on Public Roads and Highways and that the Committee make a joint report of their findings and recommendations to the Legislature when it reconvenes in June, 1927. It shall be the duty of this Committee in conjunction with the House Committee to investigate the price of gasoline sold in Alabama, and as compared with the price of gasoline in other states, and make report to the Legislature of its findings with recommendations."

Approved February 18, 1927.

The Joint Committee requested the Recess Committee of the Senate to look into the quality and price of gasoline, and hence the reason why the Chairman of the Senate Recess Committee is now making this report.

As Chairman of the Senate Recess Committee, I am preparing a Bill to regulate the price of gasoline, and placing the duty upon the public Service Commission, and giving it authority to enforce the provisions in said bill.

A bill should be drawn up and enacted into law to regulate the sale and disposal of gasoline, or motor fuel, used in internal combustion engines for the propulsion of all kinds of machinery, and auto-vehicles, and regulating the price of such fuel and all substitutes therefor.

In all cases of violation of the law, a fine of one thousand dollars for each and every such violation should, after conviction, be imposed in any court of competent jurisdiction. The reason upon which this is based is that there has heretofore been violations of the laws passed, by which escapes from the tax have occurred, and will continue unless stopped.

That the State Highway Department through its Maintenance Engineer, or his assistants, shall see to it, that the proceeds of the two-cent gas tax allotted to each county for the maintenance of Public Roads and Bridges within the boundaries thereof, shall be used for that purpose and no other, according to an Act Approved February 10, 1923, which in words and figures as follows to-wit:

"Section 1. That every county and municipality of the State shall use for street, road and bridge construction, maintenance, or repair, the entire proceeds received by each county or municipality from the automobile tag license provided for such county or municipality by Section 23 of an Act approved September 13, 1923, found on pages 291 and 292 of the Acts of 1923 of Alabama, and the violation of this Act by any public officer or employee shall be a misdemeanor and punishable as such.

"Section 2. The State Highway Department is charged with the special duty of enforcing the provisions of this act, and also with the duty of enforcing the provisions of Section 83, of the Act approved August 22, 1923, being found on page 197 of the Acts of 1923, and shall make all inspections and investigations which are necessary to this end and shall report to the Attorney General and to the Circuit Solicitor all violations of the provisions of this Act."

The provisions of Section 23, pages 291 and 292 (General Acts, 1923) should be strictly complied with, which said Section is in words and figures as follows, to-wit:

"Section 23, The money collected on motor vehicle license, less the expense necessary or incident to the collection of such taxes, including the printing and distribution of assessment blanks, blank receipts, and license blanks shall be distributed as follow: Eighty per cent (80%) to the state, and twenty per cent (20) to the incorporated city or town in which the owner of the motor vehicles resides, and twenty per cent (20%) to the county, if the owner of the motor vehicles resides outside of an incorporated

city or town. The money collected as motor license taxes shall be exclusively used to create a sinking fund for the prompt and faithful payment of the principal and interest on the good roads bonds, and for the construction, maintenance and improvements of public highways, roads and bridges as required under the provisions of article XX of the Constitution of Alabama."

The Maintenance Engineer or his assistants of roads and bridges shall faithfully and promptly report all violations of the laws to the Attorney General. For failure to perform their duties the offender or offenders shall be removed from office by the Governor. All Judges of Probate, County Commissioners or like Governing Bodies, who shall use money otherwise than as required by law, shall, upon conviction, be removed from office by the Governor, and in addition, shall be fined not less than fifty ($50.00) dollars nor more than one hundred ($100.00) dollars.

I, as Chairman of the said Senate Recess Committee on Public Roads and Highways, have, during the recess of the Legislature, been busy in the performance of the duties placed upon that Committee, which has taken a very wide scope.

The Committee finds that the people of Alabama have been greatly discriminated against in that they have not been obtaining gasoline or motor fuel, or substitutes therefor at prices that are fair and just.

The Committee has also found that the quality of gasoline or motor fuel, as well as lubricating oils has not been of the standard that it should be, or of the standard established by the Department of Agriculture of the State, from whom the Committee has received material assistance. The same statement applies to the Attorney General's office, which sent a special representative to Nashville, Tennesse, with reference to the proceedings going on there in the United States Court where the oil comapnies are seeking to obtain a permanent injunction, to prevent a law which has been passed in that State from being enforced, which has for its object the regulation of the gasoline industry. being a measure similar to a bill that I, as Chairman of said Committee am going to introduce during the present session of the Legislature.

Your Committee has also carried on a very extensive correspondence with the proper authorities in most of the States, in the Union; it has also obtained a large mass of information bearing upon the subject at issue.

It is to the interest of the State to keep the gas tax popular, as it is the fairest and most just way to create a sinking fund and pay the interest on the roads bonds.

The Committee has found that a good deal of lubricating oil of inferior grade, which is injurious to the machinery of the automobiles, is being placed upon the market, and the proceeds derived from this source should go to the road fund, and not the general fund. The Committee is in hearty accord with the idea of placing a tax upon lubricating oils.

The Committee, through its Chairman has taken up with the Attorney General and the Governor the laws proposed, and their importance and benefit to the public welfare. These officials have given their hearty cooperation. The Clerk of this Committee has rendered the Chairman efficient aid all during the recess. In preparing laws in pioneer endeavors, some labor is necessary to properly educate the people, and this the Committee has done to the best of its ability. in order to secure the much-needed legislation.

The Attorney General of the United States has instituted proceedings in the United States Court at Indianapolis against a combine of fifty or more oil Companies who have been seeking to charge prices for gasoline, which, if put into effect, would be in restraint of trade, and in violation of the Sherman Act, and your committee has been keeping in close touch with this case to keep abreast with developments.

After several months of investigation, your Committee finds it to be a fact, that the arteries of water transportation are limited, that the railroads have less than 4,000 miles of trackage in this State, and some of this trackage is being abandoned, which makes transportation by automobiles, trucks and buses all the more necessary and essential, as they serve over 50,000 miles of travel in this State, and without this transportation the education of the children in the public schools is not possible; that the industrial life of the State is better served by this means than by water or rail; that the churches and social life are benefitted to a greater extent than by other modes of transportation. As to the farm life, motor transportation shortens time and distance, and it is necessary that the people of the State shall have a fair price, and a good quality of gasoline and lubricating oils, and a standard and an exact measure therefor.

That the State of Alabama, with ten other states has been placed in Group No. 3, the other states of which group have been enjoying much lower prices than Alabama; and, therefore, the necessity of protecting the people of this State by proper legislation, and to that end, I, as Chairman, cooperating with the Committee, am endeavoring to get relief.

Respectfully submitted,
John Craft,
Chairman.
G. W. Jones,
S. C. Cowan,
A, S. Justice,
C. E. Edgar,
Watt T. Brown.

COMMITTEE REPORT

On motion of Mr. Craft, the foregoing report from the Recess Committee on Public Roads and Highways was read and ordered spread upon the Journal, and five hundred copies thereof ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bills:

H. 201. To abolish the Board of Revenue of Choctaw County, to establish in lieu thereof a Board of Commissioners of Choctaw County and to define and regulate its authority, powers and duties, to divide the County into four Commissioners Districts, to provide for appointment and election of the members of said Board and to provide for their salaries and fix their terms of office.

Also:

H. 202. To amend an Act entitled an Act to impose a per capita road tax in lieu of personal service on the public roads of Choctaw County, Alabama, to provide for the collection of such tax and the disposition of the proceeds thereof; to provide for the appointment of a Road Supervisor for said County, to provide for the appointment of Road Overseers; to authorize the

appointment of a Road Engineer, and to otherwise provide for the more efficient construction, maintenance and improvement of the public roads and bridges in said Choctaw County, Alabama, approved Sept. 27, 1923.

J. H. Stewart,
Clerk.

APPOINTMENT OF TEMPORARY ASSISTANT DOOR-KEEPER

On motion of Mr. Ellis of Dallas, Mrs. Fred M. Little was appointed Assistant Doorkeeper temporarily during the absence of Mr. Watkins.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:
By Mr. Ware:

H. 388. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general fund in the State Treasury, not otherwise appropriated, for the relief of the State Child Welfare Department.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing house message was read once and referred to appropriate standing committee as follows:

H. 388, To the Committee on Finance and Taxation.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 22nd legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REOPRT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 22nd legislative day was approved by the Senate.

ADJOURNMENT

At 4 P. M., on motion of Mr. James and pursuant to resolution heretofore adopted, the Senate adjourned until Friday morning, June 17, 1927 at 10 o'clock.

TWENTY-THIRD DAY

Friday, June 17th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. F. G. Mullins, Member of the House.

ROLL CALL

Present:

Messrs.:

Bonner	Ellis of Dallas	James	Teasley
Bradford	Ellis of Shelby	Jones	Thompson
Brown	Fite	Justice	Walker
Caffey	Hall	Loflin	Walton
Carlton	Hines	Moore	Warren
Cowan	Holmes	Oliver	Williams
Craft	Jack	Stanley	Young
Edgar	Jackson		

—30

JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Oliver:

S. 274. To appropriate funds for the purchase of the Fourth District Agricultural School Buildings and Lands.

Finance and Taxation.

By Mr. Bonner:

S. 275. To prohibit the selling or buying of malt syrup or malt extract, except upon compliance with the terms and conditions set out in this Act; to require every seller of malt syrup or malt extract to file with the Probate Judge of the County where each sale is made the affidavit to be made by purchaser, all such affidavits to be filed once each three months, and to be

kept for public inspection for one year after filing; to provide that the making of any false statement in such required affidavits shall constitute perjury; and to fix penalties for violations of this Act.

Temperance.

By Mr. Ellis of Dallas (notice and proof):

S. 276. To vacate and close as a public highway or street that portion of Lee street in the city of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama avenue with the east margin of Lee street and running thence westwardly along the north margin of Alabama avenue thirty-five feet and extending northwardly with that uniform width to where said Lee street strikes the section line; (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee street as now or formerly laid out.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at this (1927) session of the Legislature of Alabama, to vacate that portion of Lee Street in the City of Selma, Dallas County, Alabama, described as follows:

Commencing at a point on the north margin of Alabama Avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama avenue with the east margin on Lee street and running thence westwardly along the north margin of Alabama avenue thirty-five feet and extending northwardly with that uniform width to where said Lee street strikes the section line; being thirty-five feet off the west side of Lee street as now or formerly laid out and to ratify and confirm the action of the City Council of Selma in vacating said portion of Lee street.

STATE OF ALABAMA,
County of Dallas.

Before me, Leo Leva, Notary Public in and for said County in said State, personally appeared F. T. Raiford, who being first duly sworn deposes and says: That he is the Editor and Publisher of the Selma Times-Journal, a daily newspaper published in the City of Selma, Dallas County, Alabama, that the attached notice of a bill to vacate a certain portion of Lee Street in the City of Selma, Dallas County, Alabama, was published in said Selma Times-Journal for four consecutive weeks on the following dates, to-wit: January 29, 1927, February 5, 1927, February 12, 1927, and on February 19, 1927, that said publication was made without cost to the State of Alabama.

F. T. Raiford,

Sworn to and subscribed before me this the 10 day of June, 1927.

(Seal) Leo Leva,
Notary Public, Dallas County, Alabama.

By Mr. Williams:

S. 277. To authorize the Court of County Commissioners or other governing body of the County to authorize the Probate Judge or the Clerk of any Couprt of Record to index or reindex or contract therefor the records of his office or Court or to recopy any records that the Court deems necessary.

Judiciary.

By Mr. Brown:

S. 278. To amend Sections 24 and 25, Code of Alabama 1923.

Penitentiary, Prison and Prison Punishment.

By Mr. Teasley:

S. 279. To amend Section 7097, 7098, 7099, 7102, 7103 and 7104 of the Code of Alabama of 1923.

Banking and Insurance.

By Mr. Stanley:

S. 280. To amend Section 3183 of the Code of 1923.

Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 154. To amend Section 4500 of the Code of Alabama of 1923.

By Mr. James (By request):

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

By Mr. Fite: (With Substitute):

S. 146. To amend Section 7770 and Sec. 7773 of the Code of Alabama of 1923.

By Mr. Warren:

S. 145. To provide for the appointment of an Assistant Soliictor for each Judicial Circuit in the State which is composed of one county only which has a population of fifty thousand inhabitants and not more than sixty five thousand inhabitants according to the last Federal census or any subsequent census, to fix the term of said office, to prescribe the duties and authority of said Assistant Solicitor, and to fix his compensation.

By Mr. Craft (By request) (With amendment):

S. 130. To provide for the giving of notices and information by the clerks and registers of the courts of the State of Alabama relative to matters in cases pending therein.

By Mr. Edmundson (Jefferson) :

H. 107. To amend Section 6855 of the Code of Alabama, 1923.

By Mr. Miller (Sumter)

H. 22. Amending Section 8777 of the Code of Alabama as approved August 17th, 1923.

By Mr. Fite: With Substitute) :

S. 37. To adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923 and incorporated in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

By Mr. Fite:

S. 24. To amend Section 1 of an act entitled "An act, to provide for the election of a solicitor for each judicial circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation." approved September 25, 1915.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Simpson:

H. 138. To create a State Service Commissioner, and to fix the duties and compensation of such Commissioner, and to make an appropriation to carry out the purpose of this Act.

By Mr. Ware:

H. 388. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general funds in the State Treasury, not otherwise appropriated, for the general relief of the State Child Welfare Department.

Mr. Hall, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stanley:

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof.

Mr. Thompson, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Ses-

sion, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mitchell:

S. 264. To further regulate primary and general elections of associate justices of the Supreme Court; justices of the Court of appeals; judges of the circuit courts.

By Mr. Jordan of Etowah:

H. 307. To repeal an act entitled an act "To provide for the selection of delegates to any National Party Convention whenever a citizen of the State of Alabama is a candidate for the nomination by any political party as its candidate for election as President of the United States." Approved September 13, 1923.

By Mr. Rogers (Mobile):

H. 84. To provide for the punishment for any voter who votes, or attempts to vote more than once in a primary electoon.

Mr. Justice, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Justice:

S. 268. To provide the means and methods of selecting medical and surgical staffs for City, County and Charity Hospitals and to formulate the Plan of Operation for said Hospitals, prescribe punishment for the violation thereof.

By Mr. Justice:

S. 270. To amend Section 1156 of the Code of 1923.

By Mr. Waddell (Russell):

H. 176. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama to be known as the caustic alkali or acid act," and prescribe a punishment for the violation thereof.

ADVERSE REPORT

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with an adverse report and they were placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 153. To regulate the practice and procedure in and before the Tenth Division of the Circuit Courts which now have or may hereafter have ten or more divisions of such Circuit Courts; to confer jurisdiction upon the Tenth Division of such Circuit

Courts of and over cases appealed from Recorders Courts or other municipal courts corresponding thereto; to authorize and empower the Judge of Tenth Division of such Circuit Courts to make and prescribe rules and regulations for the docketing and setting for trial, hearing, handling, orders, or other disposition of such appealed cases in such Circuit Courts; and to authorize and empower the Judge of the Tenth Division of such Circuit Courts to order and direct the setting and docketing of cases for trial, hearing, handling orders or other disposition in and before the Tenth Division of such Circuit Courts.

By Mr. Warren:

S. 144. To amend Section 7409 of the Code of Alabama of 1923.

By Mr. Thompson (By request):

S. 139. To repeal Sections 8636 and 8637 of the Code of 1923.

By Mr. Fite:

S. 138. To provide an additional method of describing subdivisions of sections of land in Alabama.

By Mr. Fite:

S. 124. To amend Section 6037 of the Code of Alabama of 1923.

By Mr. Walton:

S. 163. To provide for the condemnation by any corporation, person or association of persons owning trees or timber lying, standing or growing on the lands of another, over which said lands such owner has no right of way, rights of way and other easement, or either, for the cutting and removal, or either, of such trees and timber.

By Mr. Williams:

S. 235. To amend Section 5570 of the Code of Alabama, 1923.

By Mr. Craft:

S. 148. To further provide for the compensation of Official Court Reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

LEAVES OF ABSENCE

On motion of Mr. Williams, leave of absence was granted Mr. Mitchell for today.

On motion of Mr. Bradford, leave of absence was granted Mr. Nixon for today.

On motion of Mr. James, leave of absence was granted Mr. Nolen for today.

BILLS RETURNED AND RE-REFERRED

Mr. Williams, Chairman of the Standing Committee on Judiciary, returned to the Senate the bills:

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Also:

S. 219. To amend Section 4622 of the Code of Alabama 1923.

And on motion of Mr. Williams, said bills S. B. 215 and S. 219, were re-referred by the President of the Senate to the Standing Committee on Temperance.

Mr. Hall, Chairman of the Standing Committee on Agriculture, returned to the Senate the bill;

S. 184. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

And on his motion, said bill was re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

By Mr. Ellis (Shelby) (With Notice and Proof):

S. 183. To establish a board of revenue for Chilton County, Alabama, to consist of five (5) members, one of which members shall be the Chairman of said Board of Revenue; To divide Chilton County, Alabama, into five (5) Districts to be known as Board of Revenue Districts and define and establish the boundaries thereof; to provide that each of said Districts shall have a member on said Board; to abolish the Court of County Commissioners of Chilton County, Alabama; to confer upon the Board of Revenue of Chilton County, Alabama, all the powers, authority and jurisdiction now possessed or which may hereafter be possessed by Courts of County Commissioners, Boards of Revenue or other like governing bodies of the several counties of Alabama under the general laws; to provide for a clerk for said board of revenue and to prescribe and fix his duties and compensation; to prescribe the duties, qualifications and compensation of the members of said board; to provide for the election and appointment of

the members of said board of revenues and fix their terms of office; to provide the time when this bill or act shall become a law.
By Mr. Ellis (Shelby) (With Notice and Proof):

S. 181. To provide for the manner of the election of the members of the Board of Education for Chilton County, and to prescribe the district from which each member thereof shall be elected and to prescribe their term of office, powers and duties and to provide that one member of such board shall be elected from each said district:

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill, and ordered same sent forthwith to the Senate without Engrossment;

By Mr. Darden:

H. 57. To further regulate tendering, signing and approving bills of exceptions where the trial judge has resigned, his term of office has expired or he has been removed from office.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 57. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without Engrossment:

H. 364. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this act, or rules of said Commission.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 364. To the Committee on Revision of Laws.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported the following Joint Resolution:

S. J. R. 52. Be it resolved by the Senate and the House concurring that when the two houses adjourn today they reconvene on next Tuesday, 21st day of June.

And on motion of Mr. Brown, the rules were suspended, said report concurred in and the resolution adopted.

BILLS ON THIRD READING

The Bill:

H. 285. To amend Sections 88 and 89 of Chapter 9 of the Code.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Justice	Teasley
Brown	Holmes	Loflin	Thompson
Caffey	Jack	Moore	Walker
Cowan	James	Oliver	Williams
Edgar	Jones	Stanley	Young
Fite			

—21

Nays:—None.

The Bill:

S. 112. To define the Crime of Arson and Attempt to Commit Arson and to fix Punishment Therefor, and to Repeal all Laws and Parts of Laws in conflict with the provisions of this act.

Was taken up.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

Substitute for S. 112:

A BILL

To be entitled an act to define the crime of arson and attempt to commit arson and to fix punishment therefor; to repeal sec-

tions 3289 3290, 3291, 3292, 3294 of the Code of Alabama of 1923, and all laws and parts of laws in conflict with the provisions of this act.

Be it Enacted by the Legislature of Alabama:

Section 1. That any person who willfully set fire to or burns or causes to be burned, or who aids or procures the burning of any dwelling house, or any kitchen, shop, barn, stable, or other outhouse within the curtilage thereof, the property of another; or any person who, with intent to defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any dwelling house, kitchen, shop, barn, stable, or other outhouse within the curtilage thereof, the property of himself, shall be guilty of arson in the first degree, and must upon conviction thereof, be punished by imprisonment in the penitentiary for not less than two nor more than twenty years. Provided, said arson shall not produce the death or maiming of any person; but, if the said arson shall produce the death or maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury.

Sec. 2. Be it further enacted, That any person who willfully sets fire to or burns or causes to be burned, or who aids or procures the burning of any barn, stable, or other building, the property of another, not within the curtilage of a dwelling; or any shop, store, warehouse, storehouse, factory, mill or other building, the property of another; or any church, meeting house, court house, workhouse, school, jail, or other public building, or any public bridge; or any cotton house, gin house, seed house, garage or crib, or any steamboat or vessel, or any railroad coach or car, or any street car, car, car shed, the property of another; or any person who, with intent to defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any of the property named in this section, belonging, to himself, shall be guilty of arson in the second degree, and must, on conviction thereof, be punished by imprisonment in the penitentiary for not less than two nor more than ten years. Provided, the said arson shall not produce the death or maiming of any person. But, if the said arson shall produce the death or maiming of any person, the punishment shall be death or imprisonment in the penitentiary for life, at the discretion of the jury.

Sec. 3. Be it further enacted, That any person who willfully sets fire to or burns or causes to be burned, or who aids or procures the burning of any barracks, crib, rick, or stack of hay, or any cotton pen containing cotton, or corn crib, or corn pen containing corn, wheat, oats, barley or other grain or vegetable product of any kind, or any other personal property not specifically named herein, such property being of the value of twenty-five dollars or more, the property of another; or any person

who, with intent of defraud, sets fire to or burns or causes to be burned, or who aids or procures the burning of any of the property named in this section, the property of himself, shall be guilty of arson in the third degree, and must upon conviction thereof be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Sec. 4. Be it further enacted, That any person who willfully or with intent to charge, injure or defraud the insurer, sets fire to or burns or causes to be burned, or who aids or procures the burning of any goods, wares, merchandise or chattels, or personal property of any kind, the property of himself or another, which shall at the time be insured by any person, firm or corporation against loss or damage by fire, shall be guilty of arson in the third degree, and must, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Sec. 5. Be it further enacted, That any person who willfully attempts to set fire to or attempts to burn, or to aid or procure the burning, of any of the buildings or property mentioned in the foregoing sections of this act, shall be guilty of an attempt to commit arson, and must, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than one nor more than two years.

Sec. 6. Be it further enacted, That sections 3289, 3290, 3291, 3292, 3293, 3294 of the Code of Alabama of 1923, and all other laws or parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Sec. 7. Be it further enacted, That this act shall become effective upon its passage and approval by the Governor.

Which was adopted.

Yeas, 25; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jack	Oliver
Bradford	Ellis of Shelby	James	Thompson
Brown	Fite	Jones	Walker
Caffey	Hall	Justice	Warren
Carlton	Hines	Loflin	Williams
Cowan	Holmes	Moore	Young
Edgar			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stanley
Bradford	Fite	Jones	Thompson
Brown	Hall	Justice	Walker
Caffey	Hines	Loflin	Warren
Carlton	Holmes	Moore	Williams
Cowan	Jack	Oliver	Young
Edgar			

—25

Nays:—None.

The Bill:

S. 60. To provide for the creation of a Commission on Uniform State Laws, the Appointment of Commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.

Was taken up.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

Substitute for S. 60:

A BILL

To be entitled an Act to provide for the creation of a Commission on uniform State Laws, the Appointment of Commissioners thereto, and an annual contribution to the support of the National Conference of Commissioners on Uniform State Laws.

Be it Enacted by the Legislature of Alabama:

Section 1. Appointment of Commissioners. That within thirty days after the passage of this Act the Governor shall appoint three Commissioners, each of whom shall be a member of the bar of this state, in good standing, who shall constitute and be known as the Commission on Uniform State Laws, and upon the death, resignation or refusal to serve of any of the Commissioners so appointed, the Governor shall make an appointment to fill the vacancy so caused, such new appointment to be for the unexpired balance of the term of the original appointee.

Section 2. Term of Office. That each of said Commissioners shall hold office for a term of four years, and until their successors are duly appointed, but nothing herein contained shall be construed to render a Commissioner who has faithfully performed his duties ineligible for reappointment. No member of said Commission shall receive any compensation for his services as Commissioner.

Section 3. Meeting of Commissioners. That the Commissioners shall meet at the State Capitol at least once in two years and shall organize by the election of one of their number as Chairman and another as Secretary, who shall hold their res-

pective offices for a term of two years and until their successors are elected and qualified.

Section 4. Duties of Commissioners. That it shall be the duty of each of the said Commissioners to attend the meeting of the National Conference of Commissioners on Uniform State Laws, or to arrange for the attendance of at least one of their number at such National Conference, and both in and out of such National Conference they shall do all in their power to promote uniformity in State laws, upon all subjects where uniformity may be deemed desirable and practicable; said Commission shall report to the legislature at its next session, and from time to time thereafter as said Commission may deem proper, an account of its transactions, and its advice and recommendations for legislation. This report shall be printed for presentation to each legislature. It shall also be the duty of said Commission to bring about as far as practicable the uniform judicial interpretation of all uniform laws, and generally, to devise and recommend such additional legislation, or other or further course of action as shall tend to accomplish the purposes of this Act.

Section 5. Appropriation. That the sum of $300 is hereby appropriated for the payment of the National Conference of Commissioners on Uniform State Laws to be paid annually out of any funds in the hands of the Treasurer of this State not otherwise appropriated. The Chairman of the Commission shall annually file with the State Auditor his request for a warrant, and the Auditor shall issue his warrant therefor, payable to the proper officer of the National Conference.

Which was adopted, Yeas, 12; Nays, 7.

Yeas:				
Messrs:				
Bradford	Hines	James	Teasley	
Brown	Holmes	Loflin	Walker	
Fite	Jack	Oliver	Williams	
				—12
Nays:				
Messrs:				
Bonner	Edgar	Hall	Warren	
Carlton	Ellis of Shelby	Thompson		—7

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 15; Nays, 7.

Yeas:				
Messrs:				
Bradford	Hines	Oliver	Walton	
Brown	Jack	Stanley	Williams	
Ellis of Shelby	James	Teasley	Young	
Fite	Loflin	Walker		—15

Nays:
Messrs:

Bonner	Cowan	Hall	Warren	
Carlton	Edgar	Thompson		—7

The Bill:

S. 56. Relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto.

Was taken up.

The Standing Committee on Judiciary reported the following amendment to said bill to-wit:

Amend the caption of the bill to read as follows:

A BILL

To be entitled an act to regulate the extradition of persons charged with crime, to make uniform the laws relating thereto, to prescribe the form of demand for extradition and the showing to be made in support thereof, and to provide for investigation of the demand by the Governor, the issuance of a warrant of arrest by him, the manner and place of its execution, the authority of the arresting officer, the rights of the prisoner, a penalty for their violation, his confinement in jail when necessary, his arrest prior to requisition or without a warrant, his commitment to await requisition, his right to bail, the proceedings permissible after bail or when a prosecution has already been instituted in this State, the right of the Governor to inquire into the guilt or innocence of the accused, the recall of the Governor's warrant or the issue of other warrants, the steps to be taken by the Governor in applying for the extradition of a person from another State, and the manner of applying for the requisition, the costs and expenses of a requisition and the manner of their payment, an exemption of a person brought into this State on extradition based on a criminal charge from civil process, and relating to the right of asylum."

Which was adopted.

Yeas, 18; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Walker	
Bradford	Hall	Moore	Warren	
Carlton	Hines	Teasley	Williams	
Cowan	Jack	Thompson	Young	
Edgar	Jones			—18

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jack	Stanley
Bradford	Ellis of Shelby	James	Thompson
Caffey	Fite	Jones	Walker
Carlton	Hall	Loflin	Warren
Cowan	Hines	Moore	Williams
Edgar	Holmes	Oliver	—23

Nays:—None.

The Bill:

S. 47. To make uniform the law of bills of lading.

Was taken up.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

Substitute for Senate Bill 47:

A BILL

To be entitled an Act to Govern the Issuance of Bills of Lading covering transportation of property by common carriers, the transferability thereof, the rights and liabilities of parties thereunder to make uniform the law relating thereto and to prescribe penalties for certain offenses in conection therewith.

Be it enacted by the Legislature of Alabama,

Section 1. Bills of lading issued by any common carrier shall be governed by this act insofar as the same does not unlawfully affect interestate commerce.

Section 2. A bill in which it is stated that the goods are consigned or destined to a specified person is a non-negotiable or straight bill.

Section 3. A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill, is a negotiable or an order bill.

Any provision in such bill or in any notice, contract, rule, regulation or tariff, that it is nonnegotiable, shall be null and void and shall not affect its negotiability within the meaning of this Act, unless upon its face and in writing agreed to by the shipper.

Section 4. Order bills issued in this state for transportation of goods to any place in this state, or any place in the United States on the continent of North America, except Alaska and Panama, shall not be issued in parts or sets.

If so issued the carrier issuing them shall be liable for failure to deliver the goods described therein to any one who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts: provided, however, that nothing contained in this section shall be interpreted or construed to forbid the issuing of order bills in parts or sets for such transportation of goods to Alaska, Panama, Porto Rico, the Phillippines, Hawaii, or foreign countries, or to impose the liabilities set forth in this section for so doing.

Section 5. When more than one order bill is issued in this state for the same goods to be transported to any place in the United States on the continent of North America, except Alaska and Panama, the word "duplicate" or some other word or words indicating that the document is not an original bill shall be placed plainly upon the face of every such bill, except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to any one who has purchased the bill for value in good faith as an original even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill: Provided however, that nothing contained in this section shall in such case for such transportation of goods to Alaska, Panama, Porto Rico, The Philippines, Hawaii, or foreign countries, be interpreted or construed so as to require the placing of the word "duplicate" thereon, or to impose the liability set forth in this section for failure so to do.

Section 6. A straight bill shall have placed plainly upon its face by the carrier issuing it "nonnegotiable" or "not negotiable."

This section shall not apply however to memoranda or acknowledgments of an informal character.

Section 7. The insertion in an order bill or the name of a person to be notified of the arrival of the goods shall not limit the negotiability of the bill or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

Section 8. A carrier, in the absence of some lawful excuse, is bound to deliver goods upon a demand made either by the consignee named in the bill for the goods, or if the bill is negotiable, by the holder thereof, if such demand is accompanied by:

(a) An offer in good faith to satisfy the carrier's lawful lien upon the goods.

(b) Possession of the bill of lading and an offer in good faith to surrender, properly endorsed, the bill which was issued for the goods, if the bill is negotiable, and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier.

In case the carrier refuses or fails to deliver the goods in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

Section 9. A carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is:

(a) A person lawfully entitled to the possession of the goods, or

(b) The consignee named in a straight bill for the goods, or

(c) A person in possession of an order bill for the goods by the terms of which the goods are deliverable to his order, or which has been indorsed to him or in blank by the consignee or by the mediate or immediate indorsee of the consignee.

Section 10. Where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to any one having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by sub-divisions (b) and (c) of the preceding section; and though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he:

(a) Had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or

(b) Had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods.

Such request or information to be effective within the meaning of this section must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods.

Section 11. Except as provided in Section 26, and except when compelled by legal process, if a carrier delivers goods for which an order bill had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to any one who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier, and notwithstanding delivery was made to the person entitled thereto.

Section 12. Except as provided in Section 26, and except when compelled by legal process, if a carrier delivers part of the goods for which a negotiable bill has been issued and fails either:

(a) To take up and cancel the bill, or

(b) To place plainly upon it a statement that a portion of the goods has been delivered, with a description, which may be in general terms either of the goods or packages which have been delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill, to any one who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

Section 13. Any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing same either in writing or noted on the bill shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor.

Section 14. Where an order bill has been lost, stolen or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss, theft or destruction and upon the giving of a bond with suffcient surety to be approved by the court to protect the carrier or any person injured by such delivery from any liability or loss, incurred by reason of the original bill remaing outstanding. The court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees: Provided, a voluntary indemnifying bond without order of court shall be binding on the parties thereto.

The delivery of the goods under an order of the court as provided in this section, shall not relieve the carrier from liability to a person to whom the order bill has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

Section 15. A bill upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability.

Section 16. No title to goods or right to their possession, asserted by a carrier for his own benefit shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien.

Section 17. If more than one person claims the title or possession of goods, the carrier may require all known claimants to interplead, either as a defense to an action brought against

him for non-delivery of the goods, or as an original suit, whichever is appropriate.

Section 18. If some one other than the consignee or person in possession of the bill, has a claim to the title or possession of the goods and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods either to the consignee or person in possession of the bill, or to the adverse claimant, until the carrier has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

Section 19. Except as provided in the two preceding sections and in section 9, no right or title of a third person, unless enforced by legal process shall be a defense to an action brought by the consignee of a straight bill or by the holder of an order bill against the carrier for failure to deliver the goods on demand.

Section 20. When goods are loaded by a carrier, such carrier shall count the packages of goods, if package freight, and ascertain the kind and quantity if bulk freight, and such carrier shall not in such cases, insert in the bill of lading or in any notice, receipt, contract, rule, regulation or tariff, "Shipper's weight, load and count" or other words of like purport, indicating that the goods were loaded by the shipper and a description of them made by him or in case of bulk freight and freight not concealed by packages the description made by him. If so inserted, contrary to the provisions of this section, such words shall be treated as null and void and as if not inserted therein.

Section 21. When package freight or bulk freight is loaded by a shipper and the goods are described in a bill oflading merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity. or in a certain condition. or it is stated in the bill of lading that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill of lading, such statements, if true. shall not make liable the carrier issuing the bill of lading, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in a condition they were said to be by the consignor. The carrier may also by inserting in the bill of lading the words "shipper's weight, load and count," or other words of like purport, indicate that the goods were loaded by the shipper and the description of them made by him, and if such statement be true, the carrier shall not be liable for damages caused by the improper loading or by the nonreceipt or by the misdescription of the

goods described in the bill of lading: Provided, however, where the shipper of bulk freight installs and maintains adequate facilities for weighing such freight, and the same are available to the carrier, then the carrier upon written request of such shipper and when given a reasonable opportunity so to do shall ascertain the kind and quantity of bulk freight within a reasonable time after such written request, and the carrier shall not in such cases insert in the bill of lading "shipper's weight" or other words of like purport, and if so inserted contrary to the provisions of this section, such words shall be treated as null and void and as if not inserted therein.

Section 22. Where a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the receiving of goods and issuing bills of lading a carrier shall be liable to

(a) the owner of the goods covered by a straight bill subject to existing right of stoppage in transit or

(b) the holder of an order bill who has given value in good faith, relying upon the description therein of the goods, or upon the shipment being made upon the date therein shown,

For damages caused by the non receipt by the carrier of all or part of the goods upon or prior to the date therein shown, or their failure to correspond with the description thereof in the bill at the time of its issue.

Section 23. If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner, and an order bill is issued for them they cannot thereafter, while in the possession of the carrier, be attached by garnishment or otherwise, or be levied upon under an execution, unless the bill be first surrendered to the carrier or its negotiation enjoined. The carrier shall in no such case be compelled to deliver the actual possession of the goods until the bill is surrendered to him or impounded by the court.

Section 24. A creditor whose debtor is the owner of an order bill shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such bill, or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

Section 25. If an order bill is issued the carrier shall have a lien on the goods therein mentioned for all charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequqent to the date of the bill and all other charges incurred in transportation and delivery, and for no other charges, unless the bill expressly enumerates

other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

Section 26. After goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous, the carrier shall not thereafter be liable for failure to deliver the goods to the consignee or owner of the goods, or to a holder of the bill given for the goods when they were shipped, even if such bill be an order bill.

Section 27. An order bill may be negotiated by delivery where, by the terms of the bill the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has endorsed it in blank.

Section 28. An order bill may be negotiated by the indorsement of the person to whose order the goods are deliverable by the tenor of the bill. Such endorsement may be in blank or to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

Section 29. A bill may be transferred by the holder by delivery, accompanied with an agreement, expressed or implied, to transfer the title to the bill or to the goods represented thereby.

A straight bill cannot be negotiated free from existing equities, and the endorsement of such a bill gives the transferee no additional right.

Section 30. An order bill may be negotiated by any person in possession of the same, however such possession may have been acquired, if, by the terms of the bill the carrier undertakes to deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.

Section 31. A person to whom an order bill has been duly negotiated acquires thereby:

(a) Such title to the goods as the person negotiating the bill to him has or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value, and

(b) The direct obligation of the carrier to hold possession of the goods for him according to the terms of the bill as fully as if the carrier had contracted directly with him.

Section 32. A person to whom a bill has been transferred but not negotiated acquires thereby as against the transferor, the title to the goods, subject to the terms of any agreement

with the transferor. If the bill is a straight bill, such person also acquires the right to notify the carrier of the transfer to him of such bill, and thereby to become the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification.

Prior to notification of the carrier by the transferor or transferee of a straight bill, the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the trasferor, or by a notification to the carrier by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time with the exercise of reasonable diligence to communicate with the agent or agents having actual possession or control of the goods.

Section 33. Where an order bill is transferred for value by delivery, and the endorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the endorsement is actually made. This obligation may be specifically enforced.

Section 34. A person who negotiates or transfers for value a bill by endorsement or delivery, unless a contrary intention appears, warrants:

(a) That the bill is genuine,

(b) That he has a legal right to transfer it;

(c) That he has knowledge of no fact which would impair the validity or worth of the bill, and

(d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a bill the goods represented thereby.

Section 35. The endorsement of a bill shall not make the endorser liable for any failure on the part of the carrier or previous endorsers of the bill to fulfill their respective obligations.

Section 36. A mortgagee or pledgee, or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security whether from a party to

a draft drawn for such debt or from any other person shall not be deemed by so doing to represent or to warrant the genuineness of such bill or the quantity or quality of the goods therein described.

Section 37. The validity of the negotiation of a bill is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress, loss, theft, or conversion, if the person to whom the bill was negotiated, or a person to whom the bill was sbusequently negotiated, gave value therefor, in good faith, without notice of the breach of duty, or fraud, accident, mistake, duress, loss, theft, or conversion.

Section 38. Where a person having sold, mortgaged or pledged goods, which are in a carrier's possession and for which an order bill has been issued, or having sold, mortgaged or pledged the order bill representing such goods, continues in possession of the order bill, the subsequent negotiation thereof by that person under any sale, pledge, or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

Section 39. Where an order bill has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, whether such negotiation be prior to or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage in transitu. Nor shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

Section 40. Except as provided in Section 39 nothing in this act shall limit the rights and remedies of a mortgagee or lien holder whose mortgage or lien on goods would be valid, apart from this act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

Section 41. Any person who knowingly or with intent to defraud, falsely makes, alters, forges, counterfeits, prints or photographs any bill of lading purporting to represent goods received within this State for shipment or with like intent utters or publishes as true and genuine anv such falsely altered, forged, counterfeited. falsely printed or photographed bill of lading, knowing it to be falsely altered, forged, counterfeited, falsely printed or

photographed, or aids in making, altering, forging, counterfeiting, printing or photographing or uttering or publishing the same, or issues or aids in issuing or procuring the issue of or negotiates or transfers for value a bill which contains a false statement as to the receipt of the goods, or as to any other matter, or who, with intent to defraud, violates, or fails to comply with, or aids in any violation of, or failure to comply with any provision of this act, shall be guilty of a crime and, upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding $5,000.00, or both.

Section 42. In this act, unless the context of subject matter otherwise requires:

"Action" includes counter claim, set-off, and suit in eqquity.

"Bill" means bill of lading governed by this act.

"Consignee" means the person named in the bill as the person to whom delivery of the goods is to be made.

"Consignor" means the person named in the bill as the person from whom the goods have been received for shipment.

"Goods" means merchandise or chattels in course of transportation, or which have been or are about to be transported.

"Holder" of a bill means a person who has both actual possession of such bill and a right of property therein.

"Order" means an order by indorsement on the bill.

"Person" includes a corporation or partnership, or two or more persons having a joint or common interest.

"To purchase" includes to take as mortgagee and to take as pledgee.

"State" includes any Territory, District, insular possession, or Isthmian possession.

A thing is done "in good faith" within the meaning of this act, when it is in fact done honestly, whether it be done negligently or not.

"Value" is any consideration sufficient to support a simple contract. An antecedent or preexisting obligation, whether for money or not constitutes values where a bill is taken either in satisfaction thereof or as security therefor.

Section 43. If an section, paragraph, sentence or phrase of this act shall for any reason be held to be unconstitutional or void, the same shall not affect the remaining portions of this act.

Section 44. Provisions of this act shall not apply to bills made and delivered prior to the taking effect thereof.

Section 45. All laws or parts of laws inconsistent herewith are hereby repealed.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jones	Teasley
Caffey	Fite	Justice	Thompson
Carlton	Hall	Loflin	Walker
Cowan	Holmes	Moore	Warren
Edgar	Jack	Oliver	Williams
Ellis of Dallas	James	Stanley	Young

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Justice	Thompson
Caffey	Hall	Loflin	Walker
Cowan	Holmes	Moore	Warren
Edgar	Jack	Oliver	Williams
Ellis of Dallas	James	Teasley	Young
Ellis of Shelby	Jones		

—22

Nays:—None.

The Bill:

S. 186. To prevent discrimination in the matter of county and municipal licenses against persons, firms or corporations making deliveries of goods in their own conveyances and/or by their own agents.

Was taken up.

Mr. Williams moved that said bill be indefinitely postponed.

Mr. Teasley moved that the motion of Mr. Williams be laid upon the table, which motion was lost.

Yeas, 9; Nays, 14.

Yeas:
Messrs:

Bradford	Fite	Justice	Walton
Edgar	James	Teasley	Warren
Ellis of Dallas			

—9

Nays:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stanley
Caffey	Hall	Moore	Thompson
Carlton	Jack	Oliver	Young
Cowan	Jones		

—14

PAIR ANNOUNCED

Mr. Williams announced that he and Mr. Walker were paired on this vote; that Mr. Walker, if present, would vote yea and he, Mr. Williams, would vote nay.

The question then recurred on the motion of Mr. Williams to indefinitely postpone said bill, which motion prevailed and said bill was indefinitely postponed.

Yeas, 14; Nays, 9.

Yeas:
Messrs:

Bonner	Hall	Moore	Teasley	
Carlton	Jack	Oliver	Thompson	
Cowan	Jones	Stanley	Young	
Ellis of Shelby	Loflin			—14

Nays:
Messrs:

Bradford	Ellis of Dallas	James	Walton	
Caffey	Fite	Justice	Warren	
Edgar				—9

PAIR ANNOUNCED

Mr. Williams announced that he and Mr. Walker were paired on this vote; that Mr. Walker, if present, would vote nay and he, Mr. Williams, would vote yea.

NOTICE OF MOTION TO RE-CONSIDER

Mr. Teasley gives notice that on the next Legislative Day he will move for a reconsideration of the vote by which the Senate indefinitely postponed the above bill.

The Bill:

S. 258. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Walton	
Caffey	Fite	Oliver	Warren	
Carlton	Hall	Stanley	Williams	
Cowan	James	Teasley	Young	
Edgar	Jones	Thompson		—19

Nays:—None.

The Bill:

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Walton
Caffey	Fite	Justice	Warren
Carlton	Hall	Loflin	Williams
Cowan	Jack	Oliver	Young
Edgar	Jackson		—22

Nays:—None.

The Bill:

S. 259. To amend Section 2 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jackson	Stanley
Bradford	Ellis of Shelby	James	Thompson
Brown	Fite	Jones	Walton
Caffey	Hall	Justice	Warren
Carlton	Holmes	Loflin	Williams
Cowan	Jack	Oliver	Young
Edgar			—25

Nays:—None.

The Bill:

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of Chapter 31 of Article 1, of the Code of Alabama of 1923, all relating to the public health of Alabama.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stanley
Bradford	Fite	Justice	Walton
Brown	Hall	Loflin	Warren
Caffey	Jack	Moore	Williams
Carlton	Jackson	Oliver	Young
Cowan			—21

Nays:—None.

The Bill:

S. 256. To repeal sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	James	Stanley
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Fite	Justice	Walton
Caffey	Hall	Loflin	Warren
Carlton	Jack	Moore	Williams
Cowan	Jackson	Oliver	Young

—24

Nays:—None.

REPORT OF SPECIAL COMMITTEE

To th Legislature of Alabama:

The Joint Recess Committee appointed by authority of Senate Joint Resolution Number 26 at the regular session of the legis'ature of 1927 providing for a Committee to investigate and make a report upon the State Training School for Girls and other institutions of like kind and character. begs leave to submit herewith its report.

Soon after the appointment of this Joint Recess Committee members assembled and effected the organization of the Committee by the election of the following officers: Senator C. A. Walton of Sumter County, Chairman; Representative J. O. Webb of Chambers County, Vice Chairman; the other members are Senator C. E. Edgar of Choctaw County, Representative G. H. Jones Bullock County, and Representative W. F. Monk of Dale County. Miss Louise Tate of Cuba, Alabama, was selected as clerk for the Committee.

Aftre full discussion of the activities proposed for the Committee in the Joint Resolution, the members agreed to visit the schools that were to be investigated, and to hold open and private conferences for the purpose of hearing interested persons and committees.

The Institutions visited were: The Alabama Vocational School for Girls, at Woodlawn; The Alabama Boys Industrial School at East Lake; State Training School For Girls at Birmingham; The Alabama Reform School for Negro Juvenile Law Breakers at Mt. Meigs, Alabama.

ALABAMA SCHOOL FOR NEGRO JUVENILE LAW BREAKERS

This School is located at Mt. Meigs, Montgomery County, and is governed and controlled by a board of trustees composed of the Governor, State Superintendent of Education and seven others.

The institution owns six hundred acres of farm land which is divided into general farming and truck farming. All the farm work is done by the boys of the institution.

We found the barns overflowing with corn and other farm products, an abundance of syrup, canned fruit, vegetables and meat. In addition to this we saw a large number of porkers, an excellent herd of dairy cattle, and evidences on every hand that the management had planned well for the future.

The Committee wishes to commend most heartily the Superintendent and board of trustees upon the excellent manner in which the school is being conducted.

It is understood that through good management the school has been enabled to build up a nice surplus. We recommend that with the net earnings sufficient land be purchased so that the Superintendent may use the man power on the premises of the institution and not have to rent any land.

The per. capita appropriation for the support and maintenance of this school is ten dollars for each person confined. The school reecives an additional appropriation out of the State Treasury amounting to $3,720.00. We recommend that the per. capita appropriation and also the over head appropriation remain as it now is.

ALABAMA VOCATIONAL SCHOOL FOR GIRLS

This school is located at Woodlawn, Alabama. It was founded about thirty years ago for the purpose of giving vocational training to worthy dependent girls of good character.

Although this school has had a history of useful service for all these years the Committee thinks that it has not grown as it should have. Although this is a state institution, the records show that during the past year only 12 girls were enrolled outside of Jefferson County.

It is the opinion of the Committee that the state should take over this instituton and endeavor to help the great number of dependent girls throughout the whole state. And the committee would recommend furthermore, that the management should lend a helping hand toward this desired end.

The Committee recommends an appropriation of $25 per capita.

ALABAMA BOYS INDUSTRIAL SCHOOL

This school is located at East Lake, Jefferson County. The plant consists of about 136 acres of land and several buildings. The hospital and vocational buildings are old wooden structures that were not suitably constructed for the purpose for which they are being used. Furthermore they are so near other buildings that there is great danger of a disastrous fire.

When the name of the Boys' Industrial School is mentioned one immediately thinks of the splendid band that is maintained there. This band has a wonderful influence on the boy's life but is a comparative small part of the work that is being done by this great institution.

This school through the efforts of its efficient Superintendent, Mr. Weakley, is today recognized as one of the best schools of its kind in America. These boys are being taught to be useful citizens of tomorrow. The school is turning out trained printers, carpenters, woodworkers, launderers, dairymen, machinists, etc. They are also given academic training. Many students from this school attend the colleges of Alabama.

The Committee makes the following recommendations:

1. That the age limit be fixed at 10 to 16 years inclusive, provided that a slight variation of age be allowed at the discretion of the Superintendent and Board.
2. That the Board be permitted to sell part of the school's acreage and use the proceeds to purchase land more suitable for farming purposes.
3. That the present per capita appropriation remain the same.
4. That an appropriation of $125,000 for buildings and equipment be made.

STATE TRAINING SCHOOL FOR GIRLS

This school is located on a tract of land of about 62 acres, five miles from the center of Birmingham. The physical plant consists of a school building, 4 cottages, a hospital, a dining room, and a heating plant. These buildings although comparatively new are greatly in need of repairs.

This property is in a low section and it is therefore necessary that a system of drainage be installed.

A part of this property is properly fenced, and the Committee feels that as a matter of protection the entire ground should be inclosed by a suitable fence.

The Committee visited the school several times and each time found an atmosphere of happiness and contentment among the girls which seemed to pervade the whole school. We found that the management was not only caring for the girls' physical welfare but also for their spiritual advancement.

According to the records, for a number of years the training school has been deeply in debt. The Committee, therefore, was very much pleased to find that through the efficient management of the Superintendent, Mrs. Champion, the school has not only been brought out of debt but has actually made money. According to the statement of the Treasurer, Mr. O'Ferrell, the finances of the school are today in a better shape than at any other time in its history.

The Committee feels that further provision should be made for gir'ls to work. Commercial courses, cooking, sewing, and other vocational subjects should be taught so that the girls would not only have something to occupy their minds, but would be preparing themselves also to work and make an honest living after leaving school. The present buildings are entirely too inadequate to give the girls these needed opportunities. It is therefor necessary and urgent that a commodious school building be erected.

As rapidly as possible the necessary equipment and teaching force should be provided to give the girls a High School training so that it will be unnecessary for them to go elsewhere for their High School work. Especially do we urge that no girl be sent to a Catholic Convent.

It is most encouraging to the Committee to find an intense interest in the school manifested by the churches, civic clubs, and many other organizations in the city of Birmingham.

Upon investigation the Committee found that girls as young as 6 years of age were being accepted in this institution. We feel that these young girls should not be brought in contact with delinquent girls of maturer age. We therefore recommend that the age limit be fixed from 12 to 18 inclusive. It was also noted by the Committee that several feeble minded girls had been enrolled in the school. These girls should not be accepted but should be sent to the Home For Feeble Minded. We therefore recommend that no imbecile, moron, idiot, or feeble minded girl be committed to the school in the future.

The Committee thinks that a parole officer should be elected by the board of trustees. Said officer should work at the school under the direction of the Superintendent. We recommend that a standard for parole be fixed. That when a girl reaches this standard the Superintendent should make recommendations to the Governor who will pass on her parole.

It has been brought to the attention of the Legislative Recess Committee that the present board of managers of the Training School for Girls has been unable to agree upon a number of matters of major importance relative to the management of the institution. This Committee has not deemed it incumbent upon it to setle these differences of opinion. However, in view of this situation and of the further fact that this is a state institution in which the whole state should be interested, we make the following recom-

mendations: That the present board of control of the State Training School For Girls be abolished and in lieu thereof, that a board of trustees be appointed by the Governor, subject to the confirmation of the Senate; said board of trustees to be appointed to consist of one member from each congressional district except the district in which the school is located, which shall have two members; that the Governor and State Superintendent of Education shall be ex-officio members of said board; also, that at least six members of said board shall be women.

In order to meet the needs hereinbefore mentioned and to provide for the employment and training of the girls, we recommend the following improvements:

1. A commodious school building with necessary equipment.
2. Extension of water lines, ditching, drainage, and fencing.
3. A small dairy.
4. A few poultry runs.
5. Repair of all school property.

We recommend the immediate sale of the schools' property located at Matseyama and at East Lake. And that the proceeds from this sale be used in paying for the above recommended improvements.

We recommend further an appropriation of $60,000.00 for the next quadrennium to be used in the erection of the buildings and the purchase of equipment.

We recommend that the present per capita appropriation of $25 be maintained.

Respectfully Submitted,
C. A. Walton, Chairman,
J. O. Webb,
C. E. Edgar,
W. F. Monk,
G. H. Jones.

COMMITTEE REPORT AND ORDER TO PRINT

On motion of Mr. Walton, the foregoing report from the Joint Recess Committee on State Training School for Girls and other institution of like character was read and ordered spread upon the Journal and 500 copies thereof ordered printed for use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 52. Relative to adjournment of the two Houses until Tuesday, June 21, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR

Mr. Bonner gave to the Senate the following notice in writing:

"Notice is hereby given that a motion will be made on the next Legislative day that Senate bill No. 235 be taken from the adverse calendar and read a second time and placed upon the calendar for passage under Senate Rule No. 48. This June 17, 1927.

J. M. Bonner,
Senator 22nd Senatorial District.

Mr. Edgar gave to the Senate the following notice in writing.

"Notice is hereby given that a motion will be made on the next legislative day to take from the adverse Calendar House Bill 75 and place said bill on the calendar for passage. This the 17th day of June 1927.

C. E. Edgar,
19th Senatorial District.

ORDER TO PRINT

On motion of Mr. Young, 500 copies of the bill:

S. 275. To prohibit the selling or buying of malt syrup or malt extract, except upon compliance with the terms and conditions set out in this Act; to require every seller of malt syrup or malt extract to file with the probate judge of the county where each sale is made the affidavit to be made by purchaser, all such affidavits to be filed once each three months, and to be kept for public inspection for one year after filing; to provide that the making of any false statement in such required affidavits shall constitute perjury; and to fix penalties for violations of this Act.

Were ordered printed for the use of the Senate.

INDEFINITE POSTPONEMENT OF BILLS

On motion of Mr. Fite, all bills on the adverse calendar were indefinitely postponed to-wit:

S. 27. To repeal an Act entitled an Act, "To impose a license or privilege tax on all deeds, bills of sale, and other instruments of like character admitted to Record in the Probate Offices of the State," approved September 14, 1923.

S. 44. To make uniform the law of transfer of shares of stock in corporations.

S. 45. To define Liability for participation in Breeches of Fiduciary, obligations and to make uniform the law with reference thereto.

S. 66. To amend Section 6898 of the Code of Alabama of 1923.

S. 131. To amend Section 86b of an act approved August 22nd, 1923, entitled "An Act in Reference to and to further provide for the General Revenue of the State of Alabama.

S. 71. To amend Section 6898 of the Code of Alabama of 1923.

S. 73. To amend Section 6856 of the Code of Alabama of 1923.

S. 85. To amend Section 7 of an Act entitled "An Act to provide for the organization, regulation and government of the State Bar Association, including admissions and disbarments of Lawyers, Approved August 9, 1923.

S. 121. To amend Section 5278 of the Code of Alabama of 1923.

S. 155. To govern and regulate the practice of engineering and surveying and the licensing of applicants to practice said profession; to create and to provide for the appoinmtnet of a State Board of Registration to exercise the power and authority to control, administer and supervise regulations applicable to the practice of said professions; to authorize the collection, expenditure and other disposition of fees collected under this Act; to declare exemptions from the provisions of this Act; to provide regulations for the construction of public works under the supervision of a registered engineer; and to provide penalties for violations of this Act.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 23rd legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 23rd legislative day was approved by the Senate.

ADJOURNMENT

At 1:40 P. M., on motion of Mr. Brown and pursuant to resolution heretofore adopted, the Senate adjourned until Tuesday, June 21, 1927 at 2 P. M.

TWENTY-FOURTH DAY

Tuesday, June 21st, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Jenkins, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Nixon	Walton
Carlton	Holmes	Nolen	Warren
Cowan	Jackson	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

JOURNAL

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Brown, leave of absence was granted Mr. Fite for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mitchell (with notice and proof):

S. 281. To provide that in Lauderdale County, Alabama, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the undersigned will apply to the legislature of Alabama for the passage of a local law for Lauderdale County, Alabama, in substance as follows:

AN ACT

To provide that in Lauderdale County, Alabama, the assessments lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Be it Enacted by the Legislature of Alabama: That on and after the passage and approval of this act, that in Lauderdale County, Alabama, the Tax Assessor shall not be required to prepare a book of assessments as provided for in the General Revenue Law but in lieu thereof shall be required to arrange in alphabetical order, according to beats, the original assessment lists and cause the same to be permanently bound, and such assessments lists, when bound, shall constitute the Book of Assessments as provided by the law. Such assessment lists, when bound, shall be preserved the same as assessment books. Provided further that in making the Tax Collector's Abstracts, such abstracts shall be made direct from the assessment lists. All laws and parts of laws in conflict with this Act are hereby repealed.

J. D. Longshore.

THE STATE OF ALABAMA,
County of Lauderdale.

Before me, the undersigned authority, personally appeared Mrs. Marcy B. Darnall who being sworn on oath states that she is manager of the Florence Herald, a weekly newspaper published in Florence, Lauderdale County, Alabama, and that the following notice was published in said newspaper for four consecutive weeks, viz: May 20, 1927; May 27, 1927; June 3, 1927; and June 10, 1927.

Mrs. Marcy B. Darnall,

Sworn to and subscribed before me, this the 14 day of June, 1927.

Jno. L. Hughston,
Notary Public.

By Mr. Young:

S. 282. To establish in the Department of Education under the control of the State Board of Education, a Division of Music; to provide for the appointment of a supervisor; to prescribe the qualifications; to fix the duties, and compensation.

Education.

By Mr. Young (By request):

S. 283. To provide for the purchase of Rayburn's Alabama Jury Charges for the use of the members of the Supreme Court, Court of Appeals, Circuit Judges and Circuit Soliictors of the State of Alabama.

Judiciary.

By Mr. Caffey (with notice and proof):

S. 284. To amend Section 6 of an Act entitled "An Act to establish a board of revenue for Lowndes County, and to define the powers and duties of said board of revenue," approved March 7, 1876.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the present legislature of Alabama, at the adjourned session thereto, to amend Section Six

(6) of an act to establish a board of revenue for Lowndes county and to define the powers and duties of said board of revenue, approved March 7, 1876.

AN ACT

Be it enacted by the legislature of Alabama, that Section Six (6) of an Act approved March 7, 1876, establishing a board of revenue for Lowndes County and defining the powers and duties of said board of revenue, be amended so as to read as follows:

Be it further enacted, that said board shall hold four sessions annually, Viz: On the second Mondays in February, May, August and November and may hold special terms at any time on the call of the Chairman or any two members of the board.

Notice of holding special terms shall be given by notices mailed by the Clerk of the Board of Revenue, three days prior to the holding of such special terms.

Board of Revenue,
By R. J. Staggers, Chairman.

THE STATE OF ALABAMA,
Lowndes County.

Before me, O. P. Edwards, a Notary Public in and for said State and County, personally appeared J. D. Lamar, who being duly sworn, deposes and says, that he is the owner and publisher of the Lowndes Signal, a weekly newspaper published in Fort Deposit, Lowndes County, Alabama, and that the foregoing notice has been published in the said Lowndes Signal for five consecutive weeks, appearing in the issues dated May 12th, 19th and 26th and June 2nd and 9th, 1927.

J. D. Lamar,
Owner and Publisher Lowndes Signal.

Sworn to and subscribed before me on this the 13 day of June, 1927.

(Seal) O. P. Edwards,
Notary Public.

Also:

By Mr. Caffey (with notice and proof):

S. 285. To amend Section 1 of an Act, entitled "An Act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the present legislature of Alabama, at the adjourned session thereof to amend Section One (1) of an Act approved July 29th, 1907, to divide the County of Lowndes into five districts and to provide for the election of a member of the Board from each district.

AN ACT

Be it enacted by the legislature of Alabama, that Section One (1) of an Act approved July 29th, 1907, dividing the County of Lowndes into five districts and to provide for the election of a member of the Board of Revenue from each district, be amended so as to read as follows:

Section 1. The County of Lowndes is hereby divided into five districts as follows:

The First District shall be composed of the following precincts, viz: Numbers 18, 19, 20, 1 and 2.

The Second District shall be composed of the following precincts, viz: 3, 4, 9 and 13.

The Third District shall be composed of the following precincts, viz: 5, 6, 7 and 21.

The Fourth District shall be composed of the following precincts, viz: 8, 10, 11 and 12.

The Fifth District shall be composed of the following precincts, viz: 14, 15, 16 and 17.

Board of Revenue,
By R. J. Staggers, Chairman.

THE STATE OF ALABAMA,
Lowndes County.

Before me, O. P. Edwards, a Notary Public in and for said State and county, personally appeared J. D. Lamar who being duly sworn, deposes and says, that he is the owner and publisher of the Lowndes Signal, a weekly newspaper published in Ft. Deposit, Lowndes County, Alabama, and that the foregoing notice has been published in the said Lowndes Signal for five consecutive weeks appearing in the issues dated May the 12th, 19th, and 26th, and June 2nd, and 9th, 1927.

J. D. Lamar,

Sworn to and subscribed before me on this the 13 day of June, 1927.
(Seal) O. P. Edwards,
Notary Public.

By Mr. Edgar:

S. 286. To authorize each county to appropriate funds for the purpose of providing a scholarship for a resident of such County at the Alabama School of Trades and Industries.

Education.

By Mr. Edgar:

S. 287. To further regulate the issuance, collection and settlement of executions in cases tried or disposed of in the Circuit Courts of the State other than criminal cases.

Judiciary.

By Mr. Edgar:

S. 288. To further regulate the issuance, collection and settlement of Execution for fines, costs and forfeitures in criminal cases.

Judiciary.

By Mr. Edgar::

S. 289. To amend Section 3810 of the Code of Alabama of 1923.

Judiciary.

By Mr. Stokes:

S. 290. To amend Section 7203 of the Code of Alabama of 1923.

By Mr. Stokes (with notice and proof):

S. 291. To provide for the payment of the fees of State's witnesses in criminal cases in Dale County, Alabama.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of my intention to introduce at the adjourned session of the Legislature of Alabama which convenes June 7th, 1927, a local bill for Dale County, Alabama, in substance as follows:

A BILL

To Be Entitled An Act to provide for the payment of the fees of State's Witnesses in Criminal Cases in Dale County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1: That after the passage of this Act that when any person is subpoenaed as a witness before the grand jury of Dale County, Alabama, in a criminal case and procures a certificate of his attendance before said grand jury as a witness signed by the foreman of the grand jury said certificate shall be paid out of the fine and forfeiture fund of said county by the depository of said county on presentation of said certificate by the lawful holder thereof to said depository.

Section 2. That after the passage of this act when any party appears as a State's witness in a criminal case in the circuit or county court of Dale County, Alabama, and procures a certificate of his attendance signed by the clerk of said court said certificate shall be paid out of the fine and forfeiture fund of said county by the depository thereof on the presentation of said certificate to said depository by the lawful holder thereof.

Section 3: That the depository of said county, in case of deficiency in said fine and forfeiture fund, shall set apart out of the general funds of said county, and transfer same to the credit of the fine and forfeiture fund of said county an amount sufficient to pay the fees herein provided for.

Section 4. That when any person is convicted of a crime in the circuit or county court of Dale County, Alabama, and State witness fees are collected from said person, said fees shall be paid by the officer collecting them to the depository of said county and be credited to the fine and forfeiture fund of said county, these payments into the said fine and forfeiture fund being in addition to the other payments into said fund already provided for by the general laws of Alabama.

Charles O. Stokes.

THE STATE OF ALABAMA,
Dale County.

I, Jesse B. Adams, Editor of The Southern Star, a weekly newspaper published at Ozark, Dale County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper clipped from one of the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for four consecutive weeks on the following dates, towit: May 18th, May 25th, June 1st, and June 8th, 1927.

Jesse B Adams,
Editor The Southern Star.

Subscribed and sworn to before me this 20th day of June, 1927.

Chas. O. Stokes,
Notary Public Dale County, Ala.

By Mr. Stokes (with notice and proof) :

S. 292. To provide for the relief of L. W. Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A. McKay, W. C. Barefield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitsgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Weed, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitsgerald, R. L. Andrews, A. L. Howell, Ab DeLoney, Parker & Flowers, P. A. Clark, W. H. Deloney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell, C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Malcomb Byrd, M. W. Redd, Welsey Gillian, J. C. Spears, Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson, Ned Byrd, W. A. Bloodworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. DeLoney, Henry DeLoney, Melvin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler, John Woodall, Ewell Byrd, Seaborn Bowman, Barney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Bryter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McDonald, Will McSwean, Bud Snell, M. C. Williford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nicholson, Oscar DeLoney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jas. F. Waters, A. V. Curenton, L. P. Curenton, E. L. Stokes, J. H. Hughes, A. C. Hughes, Dody Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sillivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Wigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thom. Watford, Lige Cotton, Bud Wilson, Lester Thompson, J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sulivon, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, D. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker.

Lonie Baker, Oscar Brooks, Wesley Shiran, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, H. B. Brown, Arnie Sauls, M. F. Sauls, J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, O. W. Jacobs, Huey Batchelor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin....., S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parks, C. A. Davis, A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Halford, B. Q., Albert Whitlock, Berry Simmons, Will Campbell, Giff Bradley, Foreman Lucus, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. A. Wesson, Geo. Overstreet, W. H. Senn, A. C. Hollis, J. S. Brooks, Henry Condry, A. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugerbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. G. Chapman, W. M. Goodson, Henry Wilson, Joe Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dasinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith, W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum, R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis. I. A. Snell, J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stuckey, Henry Horn, D. M. Woods, C. W. Roberts, R. W. Sanders, D. C. Peeples, Waymon Tullis, A. F. Davis, Monk Underwood, M. F. Wemms, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Reynolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gimore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Abry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D. P. Mixsom, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Bar-

row, Mixsom Searcy, R. J. Davis, R. T. Stucky, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards Graey Gassett, Pate Gassett, Charlie Searcy, Culler Whigham, Lewe Powell, Tom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Parramore, G. A. Tyler, G. L. Tyler, J. B. Philips, Fate Wilson, Nance Wilson, J. C. Keener, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen, H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jesse Baker, Johnie Truett, William Crawford, John Ingram, Jewe Sumers, Ad Moore J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Earl B. Kirkland, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. J. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the folowing bill wil be introduced in the adjourned regular session of the Legislature which convenes on June 7th, 1927.

A BILL

To Be Entitled An Act to provide for the relief of L. W Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A McKay W. C. Barefield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitzgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Weed, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitzgerald, R. L. Andrews, A. L. Howell, Ab Deloney, Parker and Flowers, P. A. Clark, W. H. Deloney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell, C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Malcomb Byrd, W. M. Redd, Wesley Gillian, J. C. Spears, Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson,

Ned Byrd, W. A. Bloodsworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. Deloney, Henry Deloney, Melcin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodsworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler, John Woodall, Ewell Byrd, Seaborn Bowman, Burney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Bryter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McConald, Will McSwean, Bud Enell, M. C. Willford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nicholson, Oscar Deloney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jas. F. Waters, A. V. Curentin, L. P. Currentin, E. L. Stokes, J. H. Hughes, A. C. Hughes, Doby Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sillivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Whigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thomas Watford Lige Cotton, Bud Wilson, Lester Thompson, J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sullivan, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, L. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker, Lone Baker, Oscar Brooks, Wesley Shirah, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, Arnie Sauls, M. F. Sauls, J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, O. W. Jacobs, Huey Batchelor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin— S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parker, C. A. Davis, A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Hallford, B. Q. Albert Whitlock, Berry Simmons, Will Compbell, Giff Bradley, Foreman Lucas, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. S. Wesson, Geo. Overstreet, W. H. Senn, A. C. Hollis, J. S. Brooks, Henry Condry, E. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugarbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. G. Chapman, W. M. Goodson, Henry Wilson, Joe Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dassinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith, W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum, R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis, I. A. Snell, J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stucky, Henry Horn, D. M. Woods, C. W. Roberts, R. W. Sanders, D. C. Peebles, Waymon Tullis, A. F. Davis, Monk Underwood, M. J. Weems, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Rey-

nolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gilmore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Obry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston, L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D. P. Mixson, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Barrow, Mixon Searcy, R. J. Davis, R. T. Stucky, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeLod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards, Grady Gassett, Pate Gassett, Charlie Searcy, Cullen Whigham, Lewe Powell, Thom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Paramore, G. A. Tyler, G. L. Tyler, J. B. Phillips, Fate Wilson, Nance Wilson, J. C. Keener, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen, H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jesse Baker, Johnie Truett, William Crawford, John Ingram, Jewe Summers, Ad Moore, J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Early B. Kirkland, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. J. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

Be it Enacted by the Legislature of Alabama:

That, whereas, the following named persons have paid the amounts set opposite their names under and by virtue of an Act of the Legislature of Alabama entitled "An Act to Provide for the Collection of a per capita road tax and for a license tax on all vehicles, including vehicles propelled by animals, electricity, gasoline, or other power whatsoever, to be used for the maintenance, building, upkeep and repair of public roads and bridges in Dale County, Alabama; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance, and upkeep of the public roads and bridges and to provide and fix penalties for the violation of the provisions and purposes of this Act," approved September 26, 1923:

And Whereas, it was agreed among the citizens and the Court of County Commissioners of Dale County, after the sums hereinafter named had been collected from tax payers of Dale County hereinafter named, who constituted but a small minority of all the tax payers at that time subject to the payment of said taxes, that said act should not be further enforced, and that no further taxes should be collected thereunder; and therefore said act was not further enforced and no further taxes were collected thereunder:

Now Therefore, said County of Dale, The Court of County Commissioners, the Probate Judge and the County Depository of said County, are hereby authorized, empowered and directed to refund to said persons named below, without interest the amounts paid by them and set opposite their names respectively, viz: L. W. Kolb, $15.00; G. A. Hood, $15.00; J. H. Tice, $15.00; H. T. Parker, $15.00; J. L. Barnes, $15.00; W. A. McKay, $15.00; W. C. Barefield, $15.00; A. L. Mims, $15.00; M. R. Dean, $15.00; J. W. Dean, $15.00; Chas. Thrower, $15.00; J. W. Dickert, $15.00; J. M. Covington, $15.00; A. J. Norton, $15.00; R. E. Hayes, $15.00; M. B.

Aman, $15.00; L. F. Head, $15.00; W. E. Fitsgerald, $15.00; G. C. Peebles, $15.00; Houston Power Co., $15.00; H. L. Andrews, $15.00; W. O. Thomas, $15.00; O. W. Metcalf, $15.00; J. S. Baker, $15.00; C. V. Atkinson, $15.00; Paul Dickert, $15.00; D. T. Dickert, $15.00; J. Norris Weed, $15.00; W. A. Tharp, $15.00; J. E. Metcalf, $15.00; J. W. Spigner, $7.50; G. S. Vickers, $7.50; T. L. Weed, $7.50; W. C. Copeland, $15.00; A. H. Jackson, $15.00; Rainer Block Mill $15.00; W. E. Fitsgerald, $15.00; R. L. Andrews, $15.00; A. L. Howell, $15.00; Ab Deloney, $5.00; Parker and Flowers, $25.00; P. A. Clark, $15.00; W. H. Deloney, $5.00; W. L. Dean, $15.00; C. D. Parker, $5.00; C. L. Dickert, $15.00; B. R. Ezell, $5.00; C. N. Byrd, $15.00; J. T. Ellis, $5.00; Payne Bros. $15.00; Monroe McCraney, $7.50; J. N. Byrd, $7.50; C. W. Sheffield, $7.50; A. D. Dixon, $7.50; John Carr, $7.50; Bud Carr, $7.50; John Hudson, $7.50; Birt Godwin, $7.50; Grady Skipper, $7.50; Malcomb Byrd, $7.50; M. W. Redd, $7.50; Wesley Gillian, $7.50; J. C. Spears, $7.50; Cody Rogers, $7.50; Albert Rogers, $7.50; Mertice Clements, $7.50; Shellie Morris, $7.50; B. W. Spears, $7.50; John Miller, $7.50; Harris Benson, $7.50; Ned Byrd, $7.50; W. A. Bloodsworth, $5.00; Marvin Andrews, $5.00; Mose Dawkins, $5.00; Ach Byrd, $5.00; Fred Andrews, $5.00; D. Deloney, $5.00; Henry Deloney, $5.00; Melvin Bowman, $5.00; Charles Byrd, Jr., $5.00; Sam Willis, $5.00; Randolph Casey, $5.00; Lingo Parker, $5.00; J. M. Bloodsworth, $5.00; Will Johns, $5.00; Jas. Helms, $5.00; D. C. Patrick, $5.00; G. C. Currenton, $5.00; Ferrell Strickland, $5.00; Grady Averett, $5.00; Alvin Ford, $5.00; Peter Ezell, $5.00; W. E. Tyler, $5.00; John Woodall, $5.00; Ewell Byrd, $5.00; Seaborn Bowman, $5.00; Barney Morris, $5.00; Curt Peters, $5.00; Geo. Trotter, $5.00; Daly Harper, $5.00; Sylvester Harper, $5.00; Chester Head, $5.00; Bryter Byrd, $5.00; Ralph Speller, $5.00; Calvin Carr, $5.00; Bunk Woodham, $5.00; Henry Blackman, $5.00; R. G. Newson, $5.00; Arch McConald, $5.00; Will McSwean, $5.00; Bud Snell, $5.00; M. C. Williford, $5.00; S. H. Williford, $5.00; Walter Kirk, $5.00; Henry Jones, $5.00; G. L. Charles, $5.00; Calvin Davis, $5.00; Bud Thompson, $5.00; Isom Thompson, $5.00; Bryant Flowers, $5.00; Homer Nicholson, $5.00; Oscar Deloney, $5.00; Pressie Dawkins, $5.00; Geo. Johnston, $5.00; Jeff Harris, $5.00; W. B. Waters, $7.50; Fred Waters, $7.50; Jas L. Waters, $7.50; A. V. Curentin, $7.50; L. P. Curentin, $7.50; E. L. Stokes, $7.50; J. H. Hughes, $5.00; A. C. Hughes, $5.00; Doby Russell, $5.00; Sandy Walker, $5.00; W. G. Morn, $5.00; Legon Curenton, $5.00; Floyd Martin, $5.00; Jesse Silivant, $5.00; Marvin McDaniel, $5.00; I. L. Andrews, $7.50; F. R. Lee, $7.50; A. J. Andrews, $7.50; B. F. Patterson, $7.50; John Andrews, $7.50; J. W. Wells, $7.50; W. A. Whigham, $7.50; Jewell Pouncey, $5.00; Ed Free, $5.00; R. J. Pouncey, $5.00; Len Jones, $5.00; Thomas Watford, $5.00; Lige Cotton, $5.00; Bud Wilson, $5.00; Lester Thompson, $5.00; J. W. Pridgen, $5.00; John Griffin, $5.00; McLean Watford, $5.00; T. R. Arnett, $5.00; Joe Akins, $5.00; M. B. Pridgen, $5.00; Alex Griffin, $5.00; Alvin Griffin, $5.00; Eben Averett, $5.00; Fred Averett, $5.00; I. J. Pridgen, $5.00; Reese Bennett, $5.00; John Sulivon, $5.00; Grady Summerlin, $5.00; Merlin Matthews, $5.00; John Watson, $5.00; Geo. Brown, $5.00; Everett Brown, $5.00; L. E. Byrd, $5.00; Jones Campbell, $5.00; V. L. McEntyre, $5.00; L. A. Windham, $5.00; Dest Faulk, $5.00; Lemon Brown, $5.00; O. K. Williams, $5.00; R. C. Wells, $5.00; A. T. Windham, $5.00; O. J. Wells, $5.00; H. W. Wells, $5.00; Matthew Lee, $5.00; D. Edmondson, $5.00; W. R. Baker, $5.00; Lonie Baker, $5.00; Oscar Brooks, $5.00; Wesley Shirah, $5.00; J. A. Mauldin, $5.00; Porter Pippin, $5.00; A. G. Teal, $5.00; L. A. Akins, $5.00; Foy Jones, $5.00; Bonie Wiley, $5.00; Roser Wiley, $5.00; J. S. Smith, $5.00; J. F. Fralish, $5.00; I. A. Nichols, $5.00; C. D. Brown, $5.00; Buck Akins, $5.00; W. D. Adams, $5.00; Carl Pouncey, $5.00; C. J. Pouncey, $5.00; S. J. Barwick, $7.50; C. E. Mullins, $7.50; N. Haynes, $5.00; Royal A.

Clark, $5.00; Joe Mauldin, $7.50; C. W. Baker, $7.50; H. L. Baker, $7.50; W. E. Blocker, $7.50; W. T. Logan, $7.50; N. E. Cain, $7.50; Arnie Sauls, $7.50; M. F. Sauls, $7.50; J. L. Trawick, $7.50; M. G. Faircloth, $7.50; L. L. Brown, $7.50; H. B. Brown, $7.50; O. W. Jacobs, $7.50; Huey Batchelor, $7.50; E. H. Nolen, $7.50; A. Baker, $7.50; Chas. Logan, $7.50; T. S. Jacobs, $7.50; D. R. Pipkins, $7.50; W. L. Jacobs, $7.50; W. J. Jacobs, $7.50; T. A. Johnston, $7.50; G. C. Carter, $7.50; Godwin, $7.50; S. R. Pipkins, $7.50; W. R. Baker, $7.50; E. D. Baker, $7.50; J. T. Matthews, $7.50; Lewis Smith, $7.50; Denis Smith, $7.50; S. E. Lavender, $7.50; Joe Thompson, $7.50; Porter Ziglar, $7.50; R. H. Snell, $7.50; J. W. Taylor, $5.00; D. L. Ragan, $5.00; James H. Parks, $5.00; C. A. Davis, $5.00; A. W. Wilks, $5.00; Homer Skipper, $5.00; G. J. Casey, $5.00; A. J. Goodson, $5.00; C. L. Goodson, $5.00; D. H. Towns, $5.00; J. F. Logan, $5.00; Wiley Rachel, $5.00; Crosby Quitman, $5.00; B. I. Goodson, $5.00; Ross Medly, $5.00; Hallford, B. Q. $5.00; Albert Whitlock, $5.00; Berry Simmons, $5.00; Will Campbell, $5.00; Cliff Bradley, $5.00; Foreman Lucus, $5.00; J. W. Roland, $5.00; V. J. Roland, $5.00; W. A. Jacobs, $5.00; W. J. Bundrick, $5.00; Andrew Wilson, $5.00; Allen Sauls, $5.00; W. A. Roland, $5.00; R. H. Nolin, $5.00; T. H. Nolin, $5.00; George Batchelor, $5.00; W. S. Wesson, $5.00; Geo. Overstreet, $5.00; W. H. Senn, $5.00; A. C. Hollis, $5.00; J. S. Brooks, $5.00; Henry Condry, $5.00; E. V. Jacobs, $5.00; J. Crawford, $5.00; Oscar Johnson, $5.00; Lee Franklin, $5.00; Jim Franklin, $5.00; Sugarbabe Johnson, $5.00; Tally Ardis, $5.00; Fate Matthews, $5.00; Bob Mintern, $5.00; T. G. Chapman, $5.00; W. M. Goodson, $5.00; Henry Wilson, $5.00; Joe Leonard, $5.00; E. E. Hoffman, $7.50; G. H. Faulk, $7.50; S. E. Dassinger, $7.50; Tom Brackin, $7.50; Homer Horne, $7.50; Manuel White, $7.50; D. L. Henderson, $7.50; Will Jones, $7.50; A. L. Kelly, $5.00; J. O. Brackin, $5.00; Henry McKee, $5.00; A. D. Brackin, $5.00; W. M. Roberson, $5.00; J. T. Smith, $5.00; W. J. Jones, $5.00; J. W. Ward, $5.00; B. B. Kennill, $5.00; J. L. Hodge, $5.00; H. L. Facon, $5.00; Wesley Oliver, $5.00; W. W. Green, $5.00; Ellison Woodham, $5.00; Will Elmore, $5.00; Colon McKee, $5.00; J. M. Brackin, $5.00; Z. Z. Holland, $5.00; Z. Z. Kirkland, $5.00; W. A. Quattlebaum, $5.00; R. V. McAily, $5.00; A. G. Warren, $5.00; Peter Herring, $5.00; Norman Scott, $5.00; C. F. Hall, $5.00; P. W. Wilson, $5.00; C. W. Lewis, $5.00; I. A. Snell, $7.50; J. L. Snell, $7.50; W. C. Deal, $7.50; Ben Deal, $7.50; Crawford Deal, $7.50; Wm. A. Miller, $7.50; C. M. Lewis, $5.00; J. C. Carter, $7.50; Bud Pierson, $7.50; Henry Tullis, $7.50; Jim Stucky, $7.50; Henry Horn, $7.50; D. M. Woods, $7.50; C. W. Roberts, $7.50; R. W. Sanders, $7.50; D. C. Peebles, $7.50; Wayon Tullis, $7.50; A. F. Davis, $7.50; Monk Underwood, $7.50; M. J. Weems, $7.50; Ed Horn, $7.50; Charlie Horn, $7.50; J. S. Fuqua, $7.50; William Chapel, $7.50; C. J. Reynolds, $7.50; Foy Bivins, $7.50; Like Underwood, $7.50; E. D. Robinett, $7.50; Stanley Helms, $7.50; Henry Stucky, $7.50; Walter Gilmore, $7.50; Charlie Phillips, $7.50; Marion Pitts, $7.50; A. H. Scott, $5.00; L. B. Woodham, $5.00; J. H. Spivey, $5.00; C. B. Spivey, $5.00; Trailor Floyd, $5.00; Tell Sell, $5.00; Obry Gullege, $5.00; John Beauchamp, $5.00; Embry Key, $5.00; W. E. Walker, $5.00; Jim Tew, $5.00; R. E. Baker, $7.50; Kirt Wilson, $7.50; T. W. Kelly, $7.50; Frank Kelly, $7.50; I. L. Stephens, $5.00; Lee Johnston, $5.00; L. L. Lewis, $5.00; F. L. Phillips, $5.00; Mike Gassett, $5.00; Dr. D. P. Mixon, $5.00; Geo. Roberts, $5.00; Bob Roberts, $5.00; Coy Dykes, $5.00; T. Dykes, $5.00; Ed Griffin, $5.00; A. G. Hagler, $5.00; Oval Dykes, $5.00; Arlie Stephens, $5.00; Lem Barrow, $5.00; Mixon Searcy, $5.00; R. J. Davis, $5.00; R. T. Stuckey, $5.00; Levy Payne, $5.00; Harvey McLeod, $5.00; Joe Payne, $5.00; Ive McLeod, $5.00; Alex McLeod, Jr., $5.00; Cull Martin, $5.00; Coy Payne, $5.00; Alex Searcy, $5.00; Sam Smedley, $5.00; Levi Grimes, $5.00; J. A. Payne, $5.00; Carlton Edwards, $5.00; Grady Gassett, $5.00;

Pate Gassett, $5.00; Charlie Searcy, $5.00; Cullen Whigham, $5.00; Lewe Powell, $5.00; Tom Gardner, $5.00; Dan Strickland, $5.00; J. H. McLeod, $5.00; Hubert McLeod, $5.00; Shelley McLeod, $5.00; Homer McLeod, $5.00; W. H. Searcy, $5.00; Lee Key, $5.00; Carey Hagler, $5.00; C. E. Norris, $5.00; C. A. Mathison, $5.00; H. V. Stucky, $5.00; Marion Rainey, $5.00; H. B. Hughes, $5.00; J. O. King, $7.50; Trawick, $7.50; Neute Thompson, $7.50; Marvin Strickland, $7.50; Major Strickland, $7.50; Foy Beasley, $7.50; C. V. Richardson, $7.50; C. L. Paulk, $7.50; G. F. Berry, $5.00; W. A. Parramore, $5.00; G. A. Tyler, $5.00; G. L. Tyler, $5.00; J. B. Phillips, $5.00; Fate Wilson, $5.00; Nance Wilson, $5.00; J. C. Keener, $5.00; J. W. Paul, $5.00; Will Blasey, $5.00; J. T. Pryor, $5.00; L. G. Senn, $5.00; Crawford Wilson, $5.00; W. N. Trawick, $5.00; D. R. Scott, $5.00; Roe Allen, $5.00; H. B. Berry, $5.00; Geo. Faulk, $5.00; Len Tyler, $5.00; Truett Adamson, $5.00; D. W. Adams, $5.00; J. W. Adams, $5.00; Benny Adams, $5.00; Ellis Paulk, $5.00; H. A. Brown, $5.00; Sefus Ellis, $5.00; Geo. Ellis, $5.00; W. F. Baker, $5.00; Carlie Baker, $5.00; Jesse Baker, $5.00; Johnie Truett, $5.00; William Crawford, $5.00; John Ingram, $5.00; Jewe Sumers, $7.50; Ad Moore, $5.00; J. S. Pridgen, $7.50; Leslie Thompson, $5.00; Lem Casey, $5.00; Dewey Williams, $5.00; Charles Payne, $5.00; T. A. Tice, $5.00; E. P. Childree, $5.00; Barney Childree, $5.00; M. C. Hix, $5.00; C. B. McGee, $5.00; Jesse McKee, $5.00; Osie McKee, $5.00; A. T. Brackin, $5.00; W. C. Ezell, $5.00; J. L. Stevens, $5.00; J. H. Dassenger, $5.00; M. A. Price, $5.00; Early B. Kirkland, $5.00; W. H. Popewell, $5.00; E. T. Smith, $5.00; V. C. Smith, $5.00; M. O. Bruce, $5.00; C. G. Bruce, $5.00; Jeary Parmer, $5.00; J. J. Steel, $5.00; W. A. McKay, $5.00; Yancey Sykes, $5.00; M. W. Wright, $5.00; M. E. Birge, $5.00.

Chas. O. Stokes,

THE STATE OF ALABAMA,
Dale County.

I, Jesse B. Adams, Editor of The Southern Star, a weekly newspaper published at Ozark, Dale County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper, clipped from one of the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for four consecutive weeks on the following dates, to-wit: May 18th, May 25th, June 1st, and June 8th, 1927.

Jesse B. Adams,
Editor The Southern Star.

Subscribed and sworn to before me this the 20th day of June, 1927.

Chas. O. Stokes,
Notary Public Dale County, Ala.

By Mr. Craft:

S. 293. To provide the purpose and use of the gasoline tax by the several counties of the State, and to provide the purpose and use of the automobile license tag money received by the several counties and municipalities of the State, and to provide for the punishment of violations of this act.

Public Roads and Highways.

By Mr. Teasley:

S. 294. To authorize the Governor to acquire for the use of the State for use as a State Public Park the lots in the City of Tuscaloosa on which the State Capitol at Tuscaloosa was situated.

Judiciary.

By Mr. Stanley (With N. & P.):

S. 295. To amend Section 5 of an Act approved Sept. 29th, 1919 entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said County; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that said Section 5 as amended shall read as follows:

Judiciary.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a Bill will be introduced at the present session of the Legislature of Alabama, to amend Section Five of an Act entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office," approved September 26, 1919, so that said section five as amended shall read as follows:

Section 5. That such solicitor shall receive as compensation for his services twenty four hundred dollars per annum, to be paid to him in monthly installments by the county depository of said County out of the fees taxed against defendants, as provided for in the last preceeding section of this Act; provided, that the fees so taxed and paid to the county depository of said county during the year shall amount to twenty four hundred dollars; but if they do not, then and in that event, said Solicitor shall only receive the fees that have been so taxed and paid to the county depository of said county. If, at the end of the year, the fees so taxed and paid into the county depository of said county shall exceed twenty four hundred dollars, the excess shall be transferred to and become a part of the general fund of said county, and shall be paid out in the same manner as other moneys belonging to said fund are paid out.

STATE OF ALABAMA,
Conecuh County.

Before me, Carol J. King, a Notary Public in and for said State and County, personally appeared Mrs. Alice C. Whitcomb, who being sworn says on oath that she is editor and publisher of the Conecuh Record, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated May 19th, 1927, and the second insertion being in issue dated May 26th, 1927, the third insertion being in issue dated June 2nd 1927, and the fourth insertion being in issue dated June 9th, 1927.

Alice C. Whitcomb.

Sworn to and subscribed before me this 20th day of June, 1927.

Carol J. King,

(Seal) Notary Public in and for said State and County.

By Mr. Mitchell:

S. 296. To provide for the revision, codification, digesting and promulgation of the public Statutes of Alabama relating to Education.

Education.

By Mr. Teasley:

S. 297. To amend Sections 677, 678, 680, 681, 682, 683, Code of Alabama, 1923.

Privileges and Elections.

By Mr. Teasley:

S. 298. To amend Sections 405, 406, 408, 409, 410, of the Code of Alabama, 1923.

Privileges and Elections.

By Mr. Stanley (With N. & P.):

S. 299. To provide for the Election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

Education.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Please take notice that at the adjourned session of the present session of the Legislature of Alabama, which convenes on the 7th day of June, 1927, there will be introduced for passage a bill to be entitled:

To provide for the Election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers, and duties, to provide for his election at the next general election to be held in Butler County Alabama, and to provide for the election of his successor in office.

Be it enacted by the Legislature of Alabama:

Section 1. That a County superintendent of Education for Butler County, Alabama, who shall hold office until his successor is elected and qualified as hereinafter provided.

Section 2. That at the next general election to be held in said county and state a County Superintendent of Education for Butler County, Alabama, shall be elected, who shall hold office for a term of four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years, thereafter, a County Superintendent of Education for Butler County, Alabama, shall be elected by the qualified voters of said County at the regular election held in said County and State, nomination for which office may be made in primary elections as other County officers.

Section 3. That the salary of said superintendent of education shall be fixed by the County Board of Education of Butler County, Alabama, which salary shall not be less than $1,800.00 nor more than $3,000.00 per

annum and which salary shall be paid in the same way and manner as now provided under the general laws of the State of Alabama for the payment of County Superintendents of Education in the several counties of the State.

Section 4. That said County Superintendent shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State of Alabama in the conduct of the office of the County Superintendent of Education; that no person shall be eligible to such office who is not a qualified elector of Butler County, Alabama, and who shall hold a first grade certificate or life certificate as a teacher in the public schools of Alabama, at the time of the nomination or election to such office.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the County Board of Education and the person so appointed shall hold office until the next general election thereafter when his successor shall be elected; that should any County Superintendent be removed for cause by the County Board of Education of Butler County, such vacancy shall be filled by appointment of the State Superintendent of Education, and his appointee shall hold office as in the case provided by appointment of the County Board of Education. Provided, that the County Board of Education may remove the County Superintendent of Education for immorality, misconduct in office, incompetence, or willful neglect of duty, or when the best interest of the schools require it; any of which causes must be alleged and proved, and the County Superintendent of Education shall have the right to be heard in his defense as in cases of impeachment against County officers, and all such hearings shall be before the County Board of Education and shall be conducted as in cases provided under the general laws for impeachment of County officers, and provided that upon such removal for cause any County Superintendent may appeal to the Circuit Court and have trial by jury.

Section 6. That the duties and powers be prescribed by the general laws of Alabama for the office of County Superintendents the Supervision of the school of the several counties shall apply to and be incubmbent upon the county Superintendent. The County Superintendent elected or appointed under the provisions of this act, and before entering upon the duties of said office, he must take the oath of office prescribed by the Constitution, and give bond in an amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties in his office, and upon the accounting and paying over to the proper authority all moneys coming into his hands.

Section 7. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act are hereby expressly repealed.

STATE OF ALABAMA,
Butler County.

F. W. Stanley being duly sworn saith:

That he is the business manager and one of the publishers of the Greenville Advocate, a weekly newspaper printed and published in the City of Greenville, County of Butler, State of Alabama, and that the notice hereto annexed was published in said Greenville Advocate for four consecutive weeks, said notice appearing in said newspaper which was published and printed on May 26th, 1927, June 1st, 1927, June 8th, 1927, and June 15th, 1927, and that said notice was published without cost to the State.

F. W. Stanley.

Sworn to and subscribed before me this 18th day of June, 1927.

Milton Lewis,
Notary Public.

REPORTS OF COMMITTEES

Mr. Young, Acting Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Frey:

H. 364. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this act, or rules of said Commission.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ellis (Shelby) (With N. & P.)

S. 182. To extend and re-arrange the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Long (With Substitute):

H. 340. To authorize and provide for the issuance and sale of State Bonds for the purpose of constructing, improving, repairing, and maintaining Public Roads, Highways, and Bridges as authorized by the Constitutional Amendment known as Article XXA of the Constitution of Alabama.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 112. To define the crime of arson and attempt to commit arson and to fix punishment therefor; to repeal sections 3289, 3290, 3291, 3293, 3294 of the Code of Alabama of 1923, and all laws and parts of laws in conflict with the provisions of this act.

Also:

S. 258. To amend Section 5191 of the Code of Alabama, 1923, relating to the public health laws of Alabama.

Also:

S. 256. To repeal sections 4348, 4349, 4352, 4355 and 4356 of Chapter 152, of Article 1, of the Code of 1923, relating to the public health laws of Alabama.

Also:

S. 257. To amend Section 2848 relating to public health laws of Alabama, of the Code of Alabama, 1923.

Also:

S. 259. To amend Section 2 of the Code of 1923.

Also:

S. 260. To amend Sections 1051, 1058, 1059, 1063, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146 of Chapter 31 of Article 1, of the Code of Alabama of 1923, all relating to the public health of Alabama.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 126. To further provide for the payment of pensions to widows of Confederate Soldiers and Sailors.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Warren, the Senate concurred in the following amendment to the House to Senate Bill 126, the title of which is set out in the foregoing Message from the House, to-wit:

Amend Senate Bill No. 126 by adding at the end thereof the following: "Provided her last husband was a confederate soldier or sailor."

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Hines	Mitchell	Thompson
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

—29

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 239. To provide for the election of a county superintendent of education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To the Legislature of Alabama,
Gentlemen of the House:

I return herewith to the House of Representatives, the body in which it originated, House Bill 239, without my approval. I suggest the following executive amendment, and its adoption will remove my objections to the Act.

Amend Section 4 of the Act so as to read as follows:

Section 4. That said county superintendent shall be charged with the same duties and shall exercise the same powers as are now or as may hereafter be provided by the General School Laws of the State of Alabama, in the conduct of office of county superintendent of education; and no person shall be eligible for political party nomination, or for election to the office of county superintendent of education of Dale county who does not hold an Alabama certificate in administration and supervision based as a minimum upon graduation from a standard Normal School, or equivalent education with at least one year of additional study of college grade, and proof of three years of successful teaching experience and such other additional qualifications as may be provided by the general school laws of the State. Provided, however, that if no person meeting these requirements qualifies for election as provided in this Act the county board of education shall appoint a superintendent of education as provided by the general law regulating the appointment of superintendent; and provided that no person shall be eligible to qualify or be elected to the office of county superintendent of education of Dale county who is not a qualified elector of the State of Alabama at the time of the nomination or election to such office and who does not procure from the superintendent of education of the State of Alabama the certificate that he possesses the qualifications prescribed by this Section. The certificate shall be filed with the Probate Judge of Dale county before his name shall be printed upon the official ballot.

Very respectfully,
Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of the whole number elected to the House, said vote being Yeas, 65; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time at length and passed by a

vote of a majority of the whole number elected to the House, said vote being Yeas, 65; Nays, 0.

And said bill together with the Governor's Message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Stokes, the Senate concurred in and adopted the Amendment proposed by His Excellency, The Governor, to House Bill 239, the title of which and said Governor's amendment, is set out in the foregoing Message from the House.

Yeas, 27; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jones	Teasley	
Bradford	Ellis of Shelby	Loflin	Thompson	
Caffey	Hall	Nixon	Walker	
Carlton	Hines	Nolen	Warren	
Cowan	Holmes	Oliver	Williams	
Craft	Jack	Stanley	Young	
Edgar	Jackson	Stokes		—27

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. 239, as thus amended by the amendment of His Excellency, The Governor, was again read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jones	Stokes	
Bradford	Hall	Loflin	Thompson	
Caffey	Hines	Nixon	Walton	
Carlton	Holmes	Nolen	Warren	
Craft	Jack	Oliver	Williams	
Edgar	Jackson	Stanley	Young	
Ellis of Dallas				—25

Nays:—None.

Which was a majority of the whole number elected to the Senate.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following S. J. R. with the engrossed and original Resolution, respectively, and find same correctly enrolled, to-wit:

S. J. R. 50. Relative to extending sympathy to the flood sufferers and petitioning the President of the United States to take the necessary steps to remedy conditions in the flooded district.

Hugh M. Caffey,
Chairman.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after the titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolution the title of which is set out in the foregoing report from Committee on Enrolled Bills:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

H. J. R. 70. Whereas, The Members of the Legislature of Alabama were royally entertained by the City of Mobile on their recent visit to that City, and,

Whereas, Her citizens did all in their power to add to our pleasure and entertainment.

Therefore, Be it Resolved by the House, the Senate Concurring that we, the Members of the Legislature desire to express our heartfelt thanks and deep appreciation.

First, to Senator Craft and Representatives Grove, Vickers and Rogers, and

Second, To the Chamber of Commerce and the Civic Clubs of Mobile, and

Third, to the Citizens of Mobile for their untiring efforts to make our visit enjoyable as well as profitable.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in and adopted H. J. R. 70, the title of which is set out in the foregoing Message from the House.

RESOLUTION

The Rules Committee reported the following Joint Resolution:

S. J. R. 53. Resolved by the Senate, The House concurring, that when the two Houses adjourn today, that they adjourn to meet again on Friday, June 24th, 1927.

Ond on motion of Mr. Brown, said report was concurred in and said resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Tunstall:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 359. To the Committee on Finance and Taxation.

BILLS RETURNED AND RE-REFERRED

Mr. Hall, Chairman of the Standing Committee on Agriculture, returned to the Senate the bill:

S. 188. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economics production and management of live-stock, the production of fruits, vegetables nuts, and citrus fruits, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economics problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the four main large soil types of the State as represented in the Tennessee Valley, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research

work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

And on motion of Mr. Hall, said bill was re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with recommendation that it be re-referred to the Standing Committee on Banking and Insurance, to-wit:

S. 90. Defining co-operative non-profit Life Benefit Associations with representative form of government, providing the terms on which such associations may do business in this State, providing for the re-incorporation of such foreign associations, providing for the taxation, suits and service regulation and control of the business of such associations doing business in this State and providing the conditions under which such associations may become legal reserve life insurance companies.

Pursuant to such recommendation, the President of the Senate re-referred said bill to the Standing Committee on Banking and Insurance.

MOTION TO TAKE FROM ADVERSE CALENDAR

Pursuant to notice heretofore given, Mr. Edgar moved that the Bill:

H. 75. To provide for the restoration of the names of Confederate veterans, or their widows, where same have been dropped on account of absence from the State for more than a year, on the pension rolls of the State, where such veteran or widow is a bona fide resident of this State and is not now drawing a pension from any other State.

Be taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading, which motion was lost.

Yeas, 17; Nays, 12.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Justice	Thompson
Brown	Hines	Loflin	Walton
Caffey	Holmes	Nixon	Warren
Craft	Jackson	Nolen	Young
Edgar			—17

Nays:
Messrs:

Bonner	Ellis of Dallas	Jones	Teasley
Carlton	Hall	Oliver	Walker
Cowan	Jack	Stokes	Williams
			—12

Said motion having failed to receive a vote of a majority of the entire Senate, as required by Senate Rule 48.

Pursuant to notice heretofore given, Mr. Bonner moved that the bill:

S. 235. To amend Section 5570 of the Code of Alabama, 1923.

Be taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading, which motion was lost.

Yeas, 11; Nays, 19.

Yeas:
Messrs:

Bonner	Cowan	Oliver	Williams
Caffey	Jack	Teasley	Young
Carlton	Jones	Warren	—11

Nays:
Messrs:

Brown	Hall	Loflin	Stokes
Craft	Holmes	Mitchell	Thompson
Edgar	Jackson	Nixon	Walker
Ellis of Dallas	James	Nolen	Walton
Ellis of Shelby	Justice	Stanley	—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 53. Relative to the adjournment of the two Houses until Friday, June 24th, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Goode:

H. J. R. 66. Whereas, The Congress of the United States has passed an Act approved by the President February 24, 1925, entitled, "An Act to authorize the more complete endowment of agricultural experiment stations and for other purposes," and

Whereas, It is provided in Section 2 of said act that "the grants of money authorized by this Act are made subject to legislative assent of the several states and territories to the purpose of said grants"; therefore be it

Resolved by the House, the Senate concurring, that the assent of the Legislature of the State of Alabama be and is hereby given to the purposes of the grants made in this Act, and that the Trustees of the Alabama Polytechnic Institute are hereby authorized and empowered to receive and apply them for the benefit of the agricultural experiment station in accordance with the terms and conditions expressed in the Act of Congress aforesaid.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 66, Set ut in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 285. To amend Sections 88 and 89 of Chapter 9 of the Code.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing Message from the House:

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 124. To amend Sections 7167, 7168, 7171 and 7172 of Article 23, of the Code of Alabama of 1923.

Also:

H. 135. To fix the salary of the deputy solicitor for Escambia County, Alabama, and provide for the manner and payment of the same.

Also:

H. 201. To abolish the board of revenue of Choctaw County, to establish in lieu thereof a board of commissioners of Choctaw County and to define and regulate its authority, powers and duties, to divide the county into four commissioners' districts, to provide for appointment and election of the members of said board and to provide for their salaries and fix their terms of office.

Also:

H. 202. To amend an Act entitled An Act to impose a per capita Road Tax in lieu of Personal Service on the Public Roads of Choctaw County, Alabama, to provide for the Collection of such Tax and the Disposition of the Proceeds thereof; to provide for the appointment of a Road Supervisor for said county; to provide for the appointment of Road Overseers; to authorize the appointment of a Road Engineer, and to otherwise provide for the more efficient construction, maintenance and improvement of the Public Roads and Bridges in said Choctaw County, Alabama, approved Sept. 27, 1923.

Also:

H. 255. To exempt from taxation lands in the purchase of which a municipality has invested money pursuant to the terms of a lease sale contract or option agreement.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

BILLS TEMPORARILY POSTPONED

On motion of Mr. Craft, the further consideration of the bill:

H. 70. To repeal an Act entitled "An Act to prescribe the duties of sheriffs as to inferior criminal courts in all counties having a population of over eighty thousand, according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, in which the sheriff is not on a salary basis under and by virtue of a constitutional amendment, and to fix the compensation of the sheriffs of such counties, as well as the compensation of the sheriffs of all other counties in which the sheriffs are now or may hereafter be required to perform for the inferior criminal courts of their respective counties the services and duties by this act specified and enumerated for sheriffs of counties having a population of over eighty thousand, for executing process out of such courts, and for other services rendered in or to such courts, and to provide the method of payments and to limit the amount of fees and allowances to be paid by counties in cases wherein the fine and costs are not paid by convicted defendants, and to repeal all laws, and parts of laws, general, local, private and special in conflict herewith," approved September 29th, 1923.

Was postponed until the fortieth Legislative Day.

On motion of Mr. Warren, the further consideration of:

S. 145: To provide for the appointment of an assistant solicitor for each judicial circuit in the State which is composed of one county only which has a population of fifty thousand inhabitants and not more than sixty-five thousand inhabitants according to the last Federal census or any subsequent census, to fix the term of said office, to prescribe the duties and authority of said assistant solicitor, and to fix his compensation.

Was postponed until the Thirtieth Legislative Day.

BILLS RE-REFERRED

On motion of Mr. Justice, the Bills:

S. 268. To provide the means and methods of selecting medical and surgical staffs for city, county and charity hospitals and to formulate the plan of operation for said hospitals, prescribe punishment for the violation thereof.

Also:

S. 270. To amend Section 1156 of the Code of 1923.

Were taken from today's calendar and re-referred to the Standing Committee on Public Health.

POSTPONEMENT OF MOTION TO RECONSIDER

Mr. Teasley moved that his motion to re-consider the vote by which the bill:

S. 186. To prevent discrimination in the matter of county and municipal licenses against persons, firms or corporations making deliveries of goods in their own conveyances and/or by their own agents.

Was indefinitely postponed, be postponed until the twenty-sixth Legislative Day, which motion prevailed.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee in session, have compared the following enrolled bill with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 126. To further provide for the payment of pensions to widows of Confederate soldiers and sailors.

H. M. Caffey,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

S. 130. To provide for the giving of notices and information by the clerks and registers of the courts of the State of Alabama relative to matters in cases pending therein.

Was taken up.

The Committee on Judiciary reported the following amendment to said bill to-wit:

Amend Senate Bill No. 130.

Amend the Bill by striking out Section 1 of the bill by numbering Sections 2 and 3 respectively Sections 1 and 2 respectively.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs.:

Bonner	Hall	Jones	Stokes
Brown	Hines	Loflin	Thompson
Carlton	Holmes	Mitchell	Walker
Craft	Jack	Nixon	Warren
Ellis of Dallas	Jackson	Nolen	Young
Ellis of Shelby	James	Stanley	

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	James	Stokes
Bradford	Ellis of Shelby	Jones	Teasley
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Edgar	Jackson	Stanley	Young

—28

Nays:—None.

The Bill:

H. 388. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general fund in the State Treasury, not otherwise appropriated, for the relief of the State Child Welfare Department.

Was read a third time at length and passed.

Yeas, 29; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Hall	Justice	Teasley
Brown	Hines	Loflin	Thompson
Caffey	Holmes	Mitchell	Walker
Carlton	Jack	Nixon	Walton
Craft	Jackson	Nolen	Warren
Edgar	James	Stanley	Young
Ellis of Dallas			

—29

Nays:—None.

The Bill:

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jones	Stokes
Bradford	Hall	Justice	Thompson
Brown	Hines	Loflin	Walker
Caffey	Holmes	Nixon	Walton
Carlton	Jack	Nolen	Warren
Cowan	Jackson	Stanley	Young
Craft	James		

—26

Nays:—None.

The Bill:

S. 264. To further regulate primary and general elections of associate justices of the Supreme Court; justices of the Court of Appeals; judges of the Circuit Courts.

Was read a third time at length and passed.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Walton
Cowan	James	Oliver	Warren
Craft	Jones	Stanley	Young

—28

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Long:

H. 341. To amend the incorporation laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and

to provide for the payment of interest on said bonds by the State of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 341 To the Committee on Corporations.

RECONSIDERATION OF VOTE

Mr. Ellis of Shelby moved that the vote by which the Senate refused to take from the adverse calendar the bill:

H. 75. To provide for the restoration of the names of Confederate Veterans, or their widows, where same have been dropped on account of absence from the State for more than a year, on the pension rolls of the State, where such veteran or widow is a bona fide resident of this State and is not now drawing a pension from any other State.

Be re-considered, which motion prevailed and said vote was re-considered.

Yeas, 18; Nays, 10.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Loflin	Thompson
Brown	Hall	Nixon	Walton
Caffey	Holmes	Nolen	Warren
Craft	Jackson	Stanley	Young
Edgar	Justice		

—18

Nays:
Messrs.:

Bonner	Jack	Oliver	Teasley
Carlton	James	Stokes	Walker
Cowan	Mitchell		

—10

Mr. Teasley then moved that said bill be re-committed to the Committee on Finance and Taxation.

Mr. Edgar moved that the motion of Mr. Teasley be laid upon the table, which motion prevailed and said motion was tabled.

Yeas, 17; Nays, 14.

Yeas:
Messrs:

Bradford	Ellis of Shelby	Justice	Stanley
Brown	Hall	Loflin	Thompson
Caffey	Holmes	Nixon	Walton
Craft	Jackson	Nolen	Warren
Edgar			

—17

Nays:
Messrs.:

Bonner	Hines	Mitchell	Teasley
Carlton	Jack	Oliver	Walker
Cowan	James	Stokes	Young
Ellis of Dallas	Jones		

—14

Mr. Edgar then moved that said bill be taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow, which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 24th legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 24th legislative day was approved by the Senate.

ADJOURNMENT

At 5:10 P. M., on motion of Mr. Teasley and pursuant to resolution heretofore adopted, the Senate adjourned until Friday, June 24th, 1927 at 10 o'clock.

TWENTY-FIFTH DAY

Friday, June 24th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Mullins, Member of the House.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Fite	Loflin	Stokes
Brown	Hall	Mitchell	Teasley
Caffey	Hines	Moore	Thompson
Carlton	Holmes	Nixon	Walker
Cowan	Jack	Nolen	Walton
Craft	Jackson	Oliver	Warren
Edgar	James	Smith	Young
Ellis of Dallas	Jones		

—34

JOURNAL

On motion of Mr. Edgar, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Hines:

S. 300. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and

equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc." or any amendments thereto, or any subsequent acts of the Legislature relating to special school tax elections.

Privileges and Elections.

By Mr. Fite:

S. 301. A Bill to be entitled an act to propose an Amendment to the Constitution of Alabama authorizing the Cities of Birmingham and Montgomery to levy and collect for municipal purposes any rate of tax, not in excess of one-tenth of one percentum additional tax, which a majority of the qualified electors of said Cities voting at an election called for that purpose may authorize.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature, to-wit, November , 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI

Section 216-A. In addition to the taxes which the Cities of Birmingham and Montgomery are authorized to levy and collect under the Constitution as heretofore amended, each of said cities shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes any rate of tax, not in excess of one-tenth of one percentum, on property situated therein, based upon the valuation of such property as assessed for State taxation for the year next preceding the levy, which a majority of the qualified electors of each city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For authorization of additional taxation at rate not to exceed per cent for the year (or years) for the purpose or purposes hereinabove stated upon the ballot," and "Against authorization of additional

taxation at rate not to exceed per cent for the year (or years) for the purpose or purposes hereinabove stated upon the ballot." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply shall be likewise printed in the space indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained, shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of said municipalities for authorization to levy a special tax for a specific purpose and such proposition is defeated, no second election for the same purpose shall be held therein within one year thereafter. This section shall be self operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama?" Immediately succeeding the text of the proposed amendment shall be printed the following:

Yes.....

No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State

Yeas:
Messrs.:

Bonner	Goldsmith	Rogers (Mobile)	Thomas
Browder	Kelly	Rogers (Sumter)	Thrower
Carlton	Kuykendall	Russell	Tucker
Chesnut	Locke	St. John	Walden
Cook	Mixon	Simpson	Walton
Dorsey	Mooneyham	Starnes	Weaver
Fletcher	McDowell	Stephens	Wellborn
Frazer	Parrish	Swift	Woodall
Glover	Riddle	Taylor	

Nays:
Messrs.:

and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Fite:

S. 302. Providing a method of service of process on a non-resident of the State of Alabama for actions, suits or proceedings growing out of an accident, injury or collision happening or occuring in the State of Alabama while said non-resident is operating a motor vehicle on any public highway, street, or avenue in the State of Alabama and providing that the operation of a motor vehicle on any public highway street or avenue by a non-resident of the State of Alabama shall be deemed equivalent to, and shall constitute, an appointment of the Secretary of State of the State of Alabama to be his, her or its true and lawful attorney upon whom may be served all lawful processes, writs, summons and complaints in any action, suit or proceeding against said non-resident growing out of or occasioned by any accident, injury or collision happening or occuring while he, she or it is operating a motor vehicle on any public highway, street or avenue in the State of Alabama and regulating actions, suits or proceedings against said non-resident, and fixing the duties and compensation of the Secretary of State of the State of Alabama for services hereunder, and providing if any part, or parts, section, provision or clause of this Act shall be void or unconstitutional no other part or parts of the Act shall be affected thereby.

Judiciary.

By Mr. Fite:

S. 303. To amend Section 5712 of the Code of Alabama.

Revision of Laws.

By Mr. Fite:

S. 304. To amend Section 5713 of the Code of Alabama.

Revision of Laws.

By Mr. Fite (With N. & P.):

S. 305. To provide for the relief of Mrs. Lola Staten. Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, K. H. Isbell, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbell, and Louis Isbell.

Finance and Taxation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 General Session of the Legislature of Alabama, in words and figures as follows, to-wit:

AN ACT

For the relief of Mrs. Lola Staten, Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, K. H. Isbell, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbel and Louis Isbel.

Whereas, George Delaney, a late resident of Hale County, Alabama, was born a foreigner and outside the jurisdiction of the United States and died intestate on the 29th day of August, 1912, and

Whereas, the Probate Court of Hale County, Alabama, issued letters of administration on the estate of said George Delaney, deceased, and in due course and according to law the proceeds from said estate escheated to the State of Alabama, in accordance with the final decree of the Probate Court of said County rendered on December 9th, 1916, and the sum of $8,376.35 was paid into the Treasury of the State of Alabama as the net proceeds of said estate; and,

Whereas, the above named parties who constitute all of the heirs and next of kind of said George Delaney, deceased, who have never received any share, part or interest of, or in said estate; and,

Whereas, all of said heirs of the said George Delaney, deceased, are interested in said estate, now therefore:

Be it encated by the Legislature of Alabama, as follows:

Section 1. There is hereby appropriated out of the General Educational Fund of the State of Alabama, for the fiscal year beginning October 1st, 1926, the sum of $8,376.35 to the following named persons: Mrs. Lola Staten, Mrs. Evaline Tolbert, Willie Banks, Lizzie Easterwood, K. H. Isbell, Sammy Isbell, Dan Isbell, Ola Isbell, Dallas Isbell, Ollie Isbell and Louise Isbel as their interest may appear.

Section 2. The money appropriated by Section 1, of this act shall be paid upon warrants drawn by the State Auditor on the Treasurer of the State of Alabama, each for an amount to be ascertained by the State Treasurer and Secretary of State, and payable to each of the several parties mentioned in said section 1, their attorney or personal representative. Provided that the Treasurer and Secretary of State shall set a day to hear and consider the evidence for and against the claims of the persons mentioned in Section 1 of this act, of which hearing the Attorney General of the State of Alabama shall have at least ten days notice, and said State Treasurer, and Secretary of State shall render a decree in accordance with the findings, determining whether or not the said claimants are the legal heirs and next of kin of the said George Delaney, then upon delivering a certified copy of said decree to the said Auditor, the said warrant shall be so drawn as their interest appeared, but in the event said decree should determine that the said Claimants are not the legal heirs and next of kin of the said George Delaney, deceased, then no warrant shall issue.

STATE OF ALABAMA,
Jefferson County.

Personally appeared before me the undersigned authority in and for said County and said State, Thomas L. Cannon who is known to me and who being by me first duly sworn, deposeth and saith as follows:

That he is the Editor of Farms and Industries, a weekly paper published in Jefferson County, Alabama, and that the attached publication was published in said paper four consecutive weeks in the issues January 22nd, January 30, February 5, February 12th, 1927.

Thomas L. Cannon,

Subscribed and sworn to before me this 20th day of June, 1927.

J. C. Arnold,
Notary Public.

(Seal)

By Mr. Fite (With N. & P.):

S. 306. To grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-Four (24), all in Township nineteen (19), South, Range Five (5) West, Jefferson County, Alabama.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following local bill:

A BILL

To be entitled an Act to grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the

Southeast quarter of the northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

That the right or franchise is hereby granted to Hercules Powder Company, its successors, licensees, lessees and assigns to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said state and county, personally appeared before me Howe Price, who being first duly sworn on oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January, 1927.

Howe Price.

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P. Smith,
Notary Public.

By Mr. Fite (With N. & P.):

S. 307. To vacate all public roads, trails, paths, highways and passageways, into, through, over, on or across the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23), the South west quarter (SW¼), the South half of the Northwest quarter (S½ of NW¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼) and the West half of the Southeast quarter (W½ of SE¼) of Section Thirteen (13) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama, except a right

of way fifty feet in width through the Northwest quarter of South-east quarter of Section 13: The South-West quarter of North-East quarter and West half of South-East quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines: Begin at the northeast corner of the Northwest quarter of South-East quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section.

Also begin at the northeast corner of the South-West quarter of NorthEast quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quartersection, said arc of said curve being subtended by a central angle of 26 degrees and 38 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to a point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central

angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to a point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the South-West quarter of South-East quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following local bill:

A BILL

To be entitled an Act to vacate all public roads, trails, paths, highways, and passageways, into, through, over, on or across the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) the Southwest quarter (SW¼), the South half of the Northwest quarter (S½ of NW¼), the Southwest quarter of the Northeast quarter (SE¼ of NE¼) and the West half of the Southeast quarter (W½ of SE¼) of Section Thirteen (13) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), Township nineteen (19) South, Range five (5) West, Jefferson county, Alabama, except a right of way fifty feet in width through the Northwest quarter of Southeast quarter of Section 13; the Southwest quarter of Northeast quarter and West half of Southeast quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the folowing described center lines.

Begin at the northeast corner of the Northwest quarter of Southeast quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to arc, thence in a southerly

direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section.

Also begin at the northeast corner of the Southwest quarter of northeast quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 38 minutes, thence in a southwesterly direction along said arc of said cuvre 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1,372.6 feet to point of beginning of the arc of a curve turning to the right and having a radiuds of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left, and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and .08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the southwest quarter of Southeast quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section.

Be it enacted by the Legislature of Alabama:

Section 1. That all public roads, trails, paths, highways and passageways into, through, over on or across the Southwest quarter (SW¼), the west half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13) the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama except a right of way fifty feet in width through the Northwest quarter of Southeast quarter of Section 13; the Southwest quarter of Northeast quarter and west half of Southeast quarter of section 24, in said township and range said right of way being twenty-five feet wide on each side of the following described center lines:

Begin at the Northeast corner of the Northwest quarter of southeast quarter of said Section 13; thence in a southerly direction along the east-

ern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 352.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 605.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section.

Also begin at the northeast corner of the Southwest quarter of northeast quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 28 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and straight line being tangent to said arc having a radius 573.69 feet, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the Southwest quarter of Southeast quarter of said section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section, are hereby vacated.

Section 2. There has been doubt and uncertainly as to what, if any, public roads, trails, paths, highways and passageways have heretofore or now exist into or through the land set out in Section 1 of this act, and it is the purpose and intention of this act to enact, and it is hereby enacted that all such public roads, trails, paths, highways and passageways, except that specifically described in Section 1 hereof, which may exist by dedication, use or otherwise shall forever cease to be public highways, or passageways, and that all rights of the public into or through said property except on the right of way specifically described in Section 1 hereof as a

result of any dedication of use of such roads, trails, paths, highways or passageways be and the same are hereby relinquished and abandoned.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said state and county, personally appeared before me Howe Price, who being first duly sworn on oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January, 1927.

Howe Price.

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P. Smith,
Notary Public.

By Mr. Fite (With N. & P.):

S. 308. To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain, and operate a plant or factory for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter qof the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19), South, Range Five (5) West, Jefferson County, Alabama.

Revision of Laws.

With Notice and Proof thereto attached and herewith exhibited as follows:

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following local bill:

A BILL

To be entitled an Act to ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its suc-

cessors, licensees, lessees and assign, to build, maintain and operate a plant or factory for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other thing which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the west half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northwest quarter SW¼ of NE¼), and the South half of the Northwest quqarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quqarter (SE¼ of NE¼) of Section (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the west half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

That the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees, and assigns, to build, maintain and operate a plant or factory for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range five (5) West, Jefferson County, Alabama, is hereby ratified and confirmed.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said state and County, personally appeared before me Howe Price, who being first duly sworn on oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January, 1927.

Howe Price.

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P. Smith,
Notary Public.

By Mr. Fite (With N. & P.):

S. 309. To allow the Constable in Precinct number 45 in the County of Jefferson, to appoint deputies.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama as follows, to-wit:

A Bill to be entitled an Act to allow the constable in precinct number 45 in the county of Jefferson, to appoint deputies.

Be it enacted by the General Assembly of Alabama that the Constable of Precinct 45, in the County of Jefferson, Alabama, be and he is hereby authorized and empowered to appoint deputies with like powers and duties as himself. That said constable shall be responsible for the official acts of the deputy or deputies appointed by him the same as the sheriffs of the several Counties of this State are responsible for the official acts of deputies appointed by them.

That the constable of the said Precinct 45, shall have authority to take the bond of any deputy appointed by him according to the provisions of this act, payable by himself, conditioned that the said deputy shall faithfully perform the duties as deputy constable.

That this act shall take effect immediately upon its passage and approval by the Governor.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on January 15, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 5th day of February, 1927.

Bessie Stephens,
Notary Public.

By Mr. Holmes:

S. 310. To require the teaching in the high schools and junior high schools of Alabama suitable lectures at least once each week on sexology, sociology, biology, physiology, anthropology, and prevention of social diseases; to require the teaching of the most important and significant of modern problem of racial hygiene and the cultivation of conditions that will tend to improve the qualities of future generations; to require a transmission by education of the knowledge and tradition of sex problems to all boys and girls thirteen years old and up in the high schools and junior high schools, teaching the boys and girls separately; to require biologic instruction to prepare the growing generation for the demands of adult life and development; to require the teaching of the danger of contagious diseases and instruction as to their prevention, and to prescribe the powers

and duties of the Superintendent of Education, the State Board of Education and the State Health Officer in connection herewith, and providing that expenses incurred in carrying out the provisions of this Act shall be paid out of the general Educational Fund of the State.

Public Health.

By Mr. Holmes:

S. 311. To promote the public health among the school children of the State of Alabama. From Six to fifteen years of age. To require an examination and medical certificate of each and every child, both male and female, by County Health officer or the family physician once each year, pointing out on certificate any physical defects of any kind, embracing mental deficiency, disease of the ear, eye, nose and throat, mouth and teeth, syphilis, or other social disease, deformity or dislocation, hip-joint or spinal disease, phymosis, hookworm or other intestinal parasites, also any other disease requiring medical or surgical aid in developing the child into a strong and healthy individual. Also require each and every child who attends school for the first time to present to the teacher certificate of examination, such examination made within the last six months before matriculation.

Public Health.

By Mr. Craft:

S. 312. A Bill to be entitled "An Act applicable to any county in this State, which by any amendment to the Constitution of the state heretofore or hereafter adopted and ratified is now or may hereafter be authorized, to incur additional indebtedness and issue additional bonds in an amount not to exceed six and one-half percentum of the assessed value of the property situated in such county, for the construction or improvement of concrete or better than concrete surfaced public roads, and concrete or better than concrete public bridges in such county, and to levy and collect an annual tax on said property in such county not to exceed one-half of one percentum of the value of such property, when such additional indebtedness and such additional bonds and additional tax shall have been first authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition, regulating and providing the method by and the manner in which any such county may increase its indebtedness for such purposes, and issue bonds therefor, and levy and collect an additional tax or additional taxes to pay at maturity the principal and interest on such bonds, and providing for and regulating the holding of elections by the qualified voters of such county to authorize such increase of indebtedness, the issuance of such bonds and levying of such additional tax or additional taxes, and providing for the method of ascertaining and declar-

ing the result of such election, and regulating the sale of such bonds and the use of the proceeds of such sale."

Be it Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to such counties in the State of Alabama which by any amendment to the Constitution of the state heretofore or hereafter adopted and ratified are now or may hereafter be authorized to incur additional indebtedness and issue additional bonds in an amount not to exceed six and one-half percentum of the assessed value of the property situated in such county, for the construction or improvement of concrete or better than concrete surfaced public roads, and concrete or better than concrete public bridges in such county, and to levy and collect an annual tax on said property in such county not to exceed one-half of one percentum of the value of such property, when such additional indebtedness and additional bonds and additional tax shall have been first authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

The words "governing body of such county", as used in this Act, shall include Boards of Revenue & Road Commissioners, Courts of County Commissioners, and other like governing bodies of such county now existing or hereafter created, having the powers of Boards of Revenue and Road Commissioners and Courts of County Commissioners.

Section 2. That any such county in this state may, after the passage and approval of this Act, when first authorized as hereinafter provided by a majority vote by ballot of the qualified voters of such county voting upon such proposition, become indebted and may from time to time issue bonds for the construction and improvement of concrete or better than concrete surfaced public roads, and concrete or better than concrete public bridges in such county, provided however, that the total amount of additional bonds issued under the provisions of this Act, at any one time outstanding, shall not exceed six and one-half percentum of the assessed value at that time of the property situated in such county, nor shall the additional indebtedness incurred for the purposes aforesaid at any one time outstanding exceed six and one-half percentum of such assessed value.

Section 3. That, to pay the interest on such additional indebtedness and on any such additional bonds, and to provide for the payment of the principal thereof at maturity, the governing body of such county may, when first authorized as hereinafter provided, by a majority vote by ballot of the qualified voters of such county voting upon such proposition, annually levy and collect an additional tax or additional taxes on all property situated in such county in an amount sufficient to pay the interest maturing during that year on all bonds issued under the pro-

visions of this Act at that time outstanding, together with an amount sufficient to pay the principal of any such bonds issued under the provisions of this Act maturing during such year, provided however, that the total amount of additional taxes levied in any one year for the purposes aforesaid shall not exceed in the aggregate one-half of one percentum of the assessed value of the property situated in said county, according to the last completed assessment for state taxation.

Section 4. The principal of each issue of bonds issued by such county under the authority of this Act shall be payable in annual installments. The number of installments and the amount of each installment shall be determined by the governing body of such county before the election hereinafter provided for is called, provided, however, that the number of annual installments shall not be less than ten nor more than thirty, and the first installment shall be payable not later than three years after the date of such bonds, and the last installment shall be payable not more than thirty years from the date of the bonds, and none of the installments shall be more than twice as large as the smallest prior installment.

"Such bonds may be issued either in registered or coupon form. If they are coupon bonds, they may be registered either as to principal or as to both principal and interest. The governing body of such county may appoint a bank or trust company as registrar or transfer agent, and provide for the registration or transfer of bonds by such registrar or transfer agent. The form of such bond or bonds shall be as prescribed by, and such bonds shall be payable at such place or places as, the Governing body of such county, may by resolution, designate.

Section 5. No such additional indebtedness shall be created under the terms of this Act, and no such additional bonds shall be issued in accordance with this act, and no such additional tax shall be levied until each improvement or construction proposed to be build from the proceeds of such bond issue, its approximate location or locations, its estimated cost and the estimated time of its completion, and the amount of the proposed increase in indebtedness shall have been determined upon and made public by the governing body of such county in the manner hereinafter provided.

Section 6. The governing body of such county shall, from time to time, determine what concrete surfaced or better than concrete surfaced public road or roads, and what concrete or better than concrete bridge or bridges are to be constructed or improved within said county under the terms of this Act.

Concrete surfaced roads, within the meaning of this Act, shall be constructed or improved with a surface composed of bits of gravel, broken stone or slag in large or small fragments, thor-

oughly mixed with a cementing material, such as asphalt, Portland cement, puzollan cement, or other cementing compound or compounds, and placed in such a manner as to create an artificial stone or other material of a definitely stable nature.

Section 7. The governing body of such county when first authorized as herein provided by a majority vote by ballot of the qualified voters of such county voting upon such proposition, may incur such additional indebtedness and issue such additional bonds and levy such additional tax or taxes, by this Act authorized, either for the purpose of paying the entire cost of the construction or improvement of one or more concrete or better than concrete surfaced road or roads, and the bridges connected therewith, and one or more concrete or better than concrete bridge or bridges, or may incur such additional indebtedness and issue such additional bonds and levy such additional tax or taxes, by this Act authorized, for the purpose of paying such part of such construction or improvement as is not paid by the government of the United States of America or the Highway Department of the State of Alabama, or any other agency of the State of Alabama, and to that end may join with the United States of America or the State of Alabama,, or both the United States of America and the State of Alabama, in the construction or improvement, of any one or more of such roads and bridges.

Section 8. The governing body of such county may include in one "improvement", as the word "improvement" is used in this Act, the construction, betterment, or surfacing with concrete or better than concrete (as the word "concrete" is defined in Section 6 of this Act) of one or more concrete or better than concrete surfaced road or roads, or any part of one or more road or roads, so as to form a continuous paved road, leading from one point in said county to another point in said county, and may also include in the same "improvement" the construction or betterment of all concrete bridges used in connection with such continuous paved road; but the said governing body of such county shall not include in one "improvement" two or more wholly disconected roads; and each bridge not connected with or used in connection with a road included in any such "improvement" shall be deemed a separate and distinct improvement.

Section 9. Before finally and formally adopting and agreeing upon any "improvement" (as the word "improvement" is hereinabove defined) the governing body of such county shall cause to be prepared by or under the direction of an engineer selected by said governing body (which engineer shall be a consulting engineer of recognized reputation in paving matters who shall be either a graduate of some institute of technology or other engineering school of recognized standing, with an additional eight years of pratcical experience, five of which must

have been in responsible charge of work or who shall be a full member of the American Society of Civil Engineers, or shall be approved by the State Highway Department) preliminary maps of the road or roads, bridges or bridges, proposed to be included in such improvement, which maps shall show the approximate location and the proposed termini of each such "improvement", together with a preliminary report of such engineer, describing the general character of the materials to be used in the construction or improvement of each such road or bridge. Such report may set out and describe certain alternative types of surfacing or paving, or other materials proposed to be used. Such report of such engineer shall also contain a preliminary estimate of the cost of each "improvement", (as the word "improvement" is hereinbefore defined), and an estimate of the time which it will take to complete the construction or improvement of each such "improvement".

Section 10. When such preliminary maps and reports have been prepared by the engineer employed by such governing body, and have been submitted to such governing body, such governing body shall consider the same, and may either adopt and approve or reject the same, or cause such changes to be made therein as may seem proper in the judgment of such governing body. Thereupon, if such governing body shall decide to engage in any "improvement" (as the word "improvement" is defined in this Act), the governing body shall, at a regular meeting of said governing body, adopt resolutions setting forth the following:

1. The road or roads (together with the bridge or bridges to be constructed or improved in conection with such road or roads) or the bridge (not conected with or used in conection with any road embraced in any 'improvement") to be constructed or improved in such "improvement";

2. The approximate location and termini of each such road or roads, bridge or bridges;

3. Which of such road or roads, bridge or bridges, are to be constructed, and which are to be improved or surfaced;

4. The alternative types of material to be used in the construction, surfacing, or other improvement of each such road or bridge;

5. The estimated cost of such "improvement" (as the word "improvement" is defined in this Act);

6. What part, if any of the cost of such "improvement" is to be borne by the United States of America or the state of Alabama, and what part is to be borne by said county;

7. The total sum by which it is proposed to increase the indebtedness of such county by reason of such "imyprovement" (as the word "improvement" is defined in this Act);

8. The time which it is estimated it will take to complete such "improvement";

9. The total amount of bonds which it is proposed to issue under the terms of this Act to pay the cost of such improvement, the total number of installments in which such bonds shall mature and the amount of each such installment (within the limitations prescribed in Section 4 of this Act), and the maximum rate of interest which such bonds shall bear.

Each such resolution shall be numbered consecutively and the improvement proposed to be made thereunder may for convenience be designated and known as Improvement No. ....., the number being the same as that of the resolution covering such improvement.

The said resolution shall also state that the preliminary maps, hereinbefore provided for, and the preliminary report of such engineer are on file with the Clerk of such governing body and are open to public inspection until the election hereinafter provided for is held; and said resolution may contain any other matter which the governing body of such county may desire to incorporate therein.

The said governing body may, at the same meeting, adopt two or more separate resolutions setting forth the matters above provided for, each covering separate and different "improvements" decided upan and approved by said Board as above provided.

Each such resolution, when so adopted by the said governing body shall be published once a week for three consecutive weeks in some newspaper published in such county.

At the same meeting of said governing body, or any adjournment thereof, or at any subsequent regular meeting of said governing body, the said governing body of such county shall adopt a resolution or resolutions calling an election of the qualified voters of said county, for the purpose of submitting to such qualified voters of such county the question as to whether the indebtedness of such county shall be increased by the sum stated in such resolution, and whether bonds of such county in an aggregate amount not to exceed such sum shall be issued by such county, under the provisions of this Act, and as to whether a tax shall be levied by the governing body of such county annually until all such bonds are paid in full, upon all the taxable property situated in such county, at a rate sufficient to provide for the payment, at maturity, of the interest on such bonds and the principal thereof.

Such resolution or resolutions may call an election to vote upon the increase of indebtedness, issuance of bonds, and levying of taxes in conection with only one "improvement" (as the word "improvement" is defined in Section 8 of this Act) or two or

more such 'improvements" but at such election separate ballots shall be prepared in respect of each such "improvement" or one ballot may be so arranged as to enable the voters to vote separately in respect of each such proposed "improvement", (as the word "improvement" is defined in Section 8 hereof).

Such elections may be called as often as the governing body of such county may deem advisable.

Section 12. Notice of such election shall be given for thirty days by publication in a newspaper published in such county once a week for three successive weeks, which notice shall state the purpose for which the election is to be held, and the time and place for holding the same, the maximum amount by which it is proposed to increase the indebtedness of such county by reason of each such proposed improvement, the maximum rate of interest which each issue of such bonds shall bear, the maximum period within which each issue of such bonds shall mature, and the number of installments and the maturity and amount of each installment thereof, and the "improvement" or "improvements" (as the word "improvement" is in this act defined) to be paid for by the proceeds of such bonds, and the estimated rate of tax levy which, on the basis of the last assessment of taxable property in said county for purposes of state taxation, it will probably be necessary to levy in order to pay at maturity the interest on and the principal of such bonds so proposed to be issued by reason of each such improvement. The statement of such estimated rate of levy shall not operate to prevent such governing body from levying such tax in such an amount each year as may, from time to time be necessary to pay at maturity the principal and interest on such bonds, whether the amount so actually levied is more or less than the estimated rate stated in such notice of election, provided, however, that the total levy of tax in any one year for the purpose of paying principal and interest on all bonds issued by such county under the provisions of this Act, and at that time outstanding, shall not exceed onehalf of one percent. Such notice may also contain such other matter as the governing body of such county may decide to incorporate in said notice.

Such notice shall be signed by the Judge of Probate of said county or the chairman of the governing body of such county, or some member of such governing body designated for that purpose by resolution of said governing body. If there be no such newspaper published in such county, then the notice must be posted in five public places in such county, at least thirty days before the time of holding the election.

Section 13. The ballot used at such election must be prepared under the direction of the Probate Judge of such county, and shall be substantially in the following form:

"Official Ballot

Of the Election to be held on the .....day of....., 19....., to submit to the Qualified Electors of the County of ..... (here insert name of county) whether or not an additional indebtedness of said county in the sum or sums hereinafter set out shall be created, and whether or not the said county shall issue bonds in the amounts hereinafter set out for the purposes hereinafter stated, and whether the governing body of said county shall be authorized to levy an additional tax annually, until all such bonds are paid in full, upon all the taxable property in said county, at a rate sufficient to provide for the payment, at maturity, of the interest on such bonds and the principal thereof.

The creation of additional indebtedness of the County of (here insert name of county) in the sum of ..... (here insert the amount of the proposed increase of indebtedness) dollars and a proposed bond issue of ..... (here insert amount of proposed bond issue) dollars bonds of said county, to be sold for the purpose of constructing and improving the following concrete or better than concrete surfaced roads and concrete or better than concrete bridges in said county (here insert a short description, in general terms, of the "improvement" to be made, stating also the designated number by which said improvement is known); said bonds to bear interest at not exceeding ..... per centum per annum, payable semi-annually; said bonds to mature serially in installments, the last installment to be payable not later than..... (here state the date of the last installment) years from the date of issue of such bonds, and authorizing the governing body of such county to levy annually, until all such bonds are paid in full, a tax upon all the taxable property situated in said county, at a rate sufficient to pay at maturity, the interest on such bonds and the principal thereof."

For.....

Against.....

If at such election there is submitted to the qualified voters of such county the question of incurring of additional indebtedness, and the issuance of additional bonds, and the levying of an additional tax or additional taxes in respect of more than one "improvement" as the word "improvement" is defined in Section 8 of this Act, and if the governing body of such county shall decide to provide only one ballot at such election for more than one "improvement", then that part of the form of ballot above prescribed, following the heading of the ballot and embraced in the parentheses opposite the words "for" and "against" shall be repeated on the ballot with respect to each "improvement", and the amount of each additional indebtedness proposed to be in-

curred and each additional issue of bonds provided to be issued in respect of each "improvement" shall be stated in the blank spaces in said form, so that each voter may vote either for or against the incurring of additional indebtedness, the issuance of additional bonds, and the levying of a tax or additional taxes in respect of each such "improvement."

Section 14. The Chairman of the governing body of such county, or some other member of such body designated for that purpose by resolution of said body, immediately after the passage by said body of the resolution calling such election, shall notify the probate judge of such county of the calling of such election. The Probate Judge, Clerk of the Circuit Court of said county, and the Sheriff of such county, within ten days after receipt of such notice, shall appoint three managers, two clerks, and one returning officer to conduct the election in each beat or polling place in said county; and said managers shall all reside in the beats, wards, or precincts where they are respectively appointed to serve, and shall be qualified electors at the date of said election.

Section 15. The Sheriff shall notify the managers, clerks, and returning officers of their appointments, and send out boxes and ballots to the several beats or polling precincts in the county.

Section 16,. All expenses for holding such election shall be paid out of the treasury of such county; and the managers, clerks, and returning officers shall be entitled to the same compensation as managers, clerks, and returning officers of the general election.

Section 17. The Clerk of the Circuit Court, Probate Judge, and Sheriff of such county shall constitute a Board to canvass the returns and declare the results of such election. They shall meet at the court house of said county on the Saturday following the holding of said election and canvass the returns and declare the result of such election, and certify and return such results to the governing body of such county. In case either of the three should be absent, the remaining two shall act.

Section 18. The record of the result of such election, as returned by the Board of Canvassers, shall be recorded in the minutes of the governing body of said county, and, when so recorded, the record shall be conclusive evidence of the matters therein stated, and of the validity of such election, unless contested, as hereinafter provided.

Section 19. A contest of such election may be made by any qualified elector of the county by executing a bond, with sufficient surety, to be approved by the Judge of Probate of such county, for the payment of the costs of the contest. Notice of the contest shall be served on the Circuit Solicitor of said county, and said soliictor shall respond in the name of the county, and

the county shall be contestee. In all courts, said contest shall be a preferred case.

Section 20. No action shall be comenced to test the validity of any such election, or to attack the issuance of bonds pursuant to such election, unless the said action be comenced within thirty days from the date of declaring the result of said election.

Section 21. If, at any election held under and according to the provisions of this act, a majority of the qualified voters of such county voting upon each proposition submitted at such election vote in favor of the increase in indebtedness and the issuance of bonds and levying of tax in respect of the improvement embraced in such proposition, then the governing body of such county may incur the indebtedness and issue the bonds authorized by such favorable vote on such proposition; and the governing body of such county shall thereafter, until all such bonds so issued and the interest thereon, are paid in full, each year levy on all the taxable property in such county a tax at a rate and in an amount sufficient to pay at maturity the interest on all such bonds at that time outstanding, and the principal hereof at the time each installment of principal becomes due; provided, however, that the total amount of all the taxes levied under the provisions of this act in any one year shall not exceed one-half of one percentum of the total assessed value during that tax year of all the taxable property in said county. It being the intent and purpose of this section to authorize and require the governing body of such county each year to levy a tax sufficient to pay the interest maturing during that year on all bonds theretofore issued under the provisions of this act, and at that time outstanding, and also sufficient to pay the installments of principal of such bonds theretofore issued which mature during that year, provided, however, that the total amount of all such taxes so levied under the provisions of this act (Excluding, however, any tax levied under the provisions of any other act of the Legislature or provisions of the Constitution of the state of Alabama) shall not exceed, in the aggregate, in any one year, the rate of one-half of one percentum.

If such election shall authorize the increasing of indebtedness, issuance of bonds and levying of taxes in respect of more than one improvement, then the governing body of such county may group all the bonds so authorized in one issue, and may make the total of each annual installment of such bond issue equal the combined total of the corresponding annual installments stated in the notice of the election as to each of the propositions so authorized; provided, however, that bond issues having different maximum maturities may not be so combined. Thereupon, the governing body of such county, at any regular or special meeting of said governing body held subsequent to such

election, shall adopt a resolution or resolutions fixing the total amount of bonds of each issue to be issued by such county under the provisions of this Act, the number of installments in which each issue of bonds shall mature, and the amount of each installment (Within the limitations prescribed in Section 4 of this Act), the form of such bonds, the place of payment of installments of principal thereof and interest thereon, and the maximum rate of interest to be borne by each issue of such bonds, together with any other matter which the governing body of such county may decide to incorporate in such resolution.

Section 22. All bonds and interest coupons attached to same issued under the provisions or authority of this Act shall be exempt from state, county, and municipal taxation, and shall have all the protection of commerial paper, and such bonds and coupons shall, after the maturity thereof, be received in payment of all taxes and dues to the said county.

Section 23. No irregularity in the proceedings to authorize the issue of bonds under this Act, and no omission or neglect of any officer charged with the execution of any duties imposed by this Act, shall affect the validity of any bonds issued under authority of this Act.

Section 24. Any bonds reciting that they are issued pursuant to the provisions of this Act shall, in any action or proceedings involving their validity, be conclusively deemed to be fully authorized by this Act, and to have been issued, sold, executed, and delivered in conformity herewith, and with all other provisions of law applicable thereto, and shall be incontestable, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun before or within thirty days after the day upon which the bonds are delivered and paid for.

Section 25. All bonds issued under the provisions of this Act shall be signed by the Chairman of the governing body of said county, or such other member thereof as may be, by resolution of said governing body, specially designated for that purpose, and shall have impressed thereon the seal of said county, if, by resolution of said governing body a special county seal has been adopted, and, if no special seal has been adopted by the county, then the seal of the Probate Court of said county may be adopted and used as the county seal. Interest coupons attached to the bonds shall bear a facsimile signature of the county treasurer. The delivery of bonds so executed shall be valid, notwithstanding any changes in officers or in the seal of the county, occurring after the signing and sealing of the bonds.

Section 26. Where no provisions are otherwise made in this Act, the general election laws of the state then in existence, with regard to all notices, qualifications of voters, official acts,

and things to be done in conection with ordering and holding elections, making returns, canvassing and certifying the same, shall govern; and all penalties fixed for wrongful acts and violations of the general election laws of the state shall apply to similar acts and violations in all elections held under this law.

Section 27. All bonds issued under the terms of this Act shall be sold to the highest bidder at public sale, unless sold within thirty days after failure to reecive any legally acceptable bid at a duly advertised public sale, in accordance with this Section. A public sale shall be either on sealed bids or at auction. The notice of a public sale shall state whether the sale is to be on sealed bids or at auction and shall also state the amount of the bonds to be sold, the maturities thereof, the amount payable at each maturity and either the rate of interest which the bonds are to bear or that the bidders are invited to name the rate of interest in their bids, and shall also state the time and place of sale, or for submitting sealed bids. Such notice shall be published once in each of three consecutive weeks in a newspaper published in said county, and also in a newspaper published in each of the cities of New York and Chicago, and may be published in such other newspapers as may be ordered by the governing body of such county. The first of such three publications shall be not less than twenty days before the last date for submitting bids, if the sale is on sealed bids, or the date of sale, if the sale is at auction. Said governing body shall have the right to reject all bids. If no legally acceptable bids are received at any such public sale, the bonds may be sold at private sale, provided such private sale occurs within thirty days after the date fixed for said public sale, but no such private sale shall be made at a price less than the highest bid received at said public sale.

In determining the highest bidder for bonds offered for sale, the net interest cost to the county, as shown in standard bond value tables, shall govern, provided, however, that the determination of the governing body of such county as to which bidder is the highest bidder shall be final, conclusive, and binding upon all persons whomsoever.

Section 28. The proceeds of the sale of any bonds issued under the provisions of this Act shall be used only for the purpose for which the bonds are issued, provided, however, that if, for any reason, any part of such proceeds be not necessary for such purposes, such unexpended part of the proceeds shall be applied to the payment of the principal of said bonds. The cost of preparing, issuing, and marketing bonds, including all legal services in conection therewith, the cost of all engineering services in connection with the preliminary maps, and preliminary engineer's reports hereinbefore provided, the cost of the publication of the resolution of said Board, provided for in Section 10 of this Act,

the cost of notice of and the holding of all elections required by this Act, and the canvassing of returns, as hereinabove provided, and all costs and expenses incident to the construction or improvement for which the bonds are issued, including engineering costs, legal fees, incidental expenses, and interest during construction, shall be deemed to be purposes for which the bonds are issued, and such costs shall be payable out of the proceeds of the sale of such bonds.

Section 29. No road shall be included in any such "improvement" (as the word "Improvement" is hereinabove defined) except such as are public roads at the time, or such as may be designated as public roads, in accordance with the provisions of the laws of the State of Alabama.

Section 30. All surveys, plans and specifications for and the supervision of the expenditures of funds provided by the incurring of additional indebtedness and the issuance of additional bonds authorized by elections held under the provisions of this Act, except such portion of such expenditures as shall be made in co-operation with the Alabama State Highway Commission or the Federal government, shall be executed by or under the direction of a consulting engineer to be selected by said governing body and having the qualifications set out in Section 9 of this Act.

Section 31. If any sentence, clause, or section of this Act shall be held unconstitutional, this shall not affect any other section of this Act, it being the intention of the Legislature, in enacting this law, to enact each section separately.

Section 32. The Act entitled "An Act to provide that in the event the Constitution of Alabama should be amended, to authorize Mobile County to increase its indebtedness, bond issue and tax rate for the purposes of constructing or improving of concrete or better than concrete surfaced public roads, and concrete or better than concrete public bridges in said county, and for the construction of bridges and roadway necessary to provide a public road for vehicular travel between the highlands of Mobile and Baldwin counties, in an amount not to exceed six and one-half percentum of the assessed value of the property situated in Mobile County, such indebtedness to be in addition to the amount now authorized by the Constitution, then Mobile county may issue bonds for the construction or improvement of concrete or better than concrete surfaced public roads, and concrete or better than concrete public bridges in said county, in an amount not to exceed six and one-half per centum of the assessed value of the property situated in Mobile County, such indebtedness to be in addition to the amount now authorized by the Constitution," approved September 28th, 1923, and all other laws or parts of laws, general or local, in conflict with this act, and hereby re-

pealed, insofar as the same affect the operation of this Act. This Act shall take effect upon passage and approval by the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Walton (By request):

S. 313. To declare certain gambling paraphernalia used for the purpose of gambling, a public nuisance, and to declare same to be contraband and forfeited to the State when seized; to define the duty of sheriff, city marshalls, chiefs of police and other peace officers with reference to the seizure of same; to define the duty of magistrates in declaring articles described in this Act a public nuisance and contraband, and for the destruction of same; to define the duties of solicitors and the Attorney General in the enforcement of this Act; to provide the forfeiture of property rights in articles declared to be contraband under this Act; to prohibit replevin or detinue writ pending forfeiture suit; to prohibit actions for damages against officers on account of seizure and destruction as provided for in this Act.

Temperance.

By Mr. Fite:

S. 314. To amend Section 5310 of the Code of Alabama.

Revision of Laws.

By Mr. Fite:

S. 315. To amend Section 16 of an Act approved September 25, 1915, entitled: "An Act to provide for the government by a commission of all cities in Alabama, which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government and to repeal all laws and parts of laws in conflict with the provisions of this Act;" as amended by an Act approved August 15, 1923, entitled: An Act "To amend an Act approved September 25th, 1915; entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people, or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their pow-

ers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act;' and to provide for the going into effect of the various sections of said Act as amended"

Revision of Laws.

By Mr. Teasley:

S. 316. To amend Section 5695 of the Code of Alabama, 1923.

Judiciary.

By Mr. Fite:

S. 317. A Bill to be entitled an act to propose an amendment to the Constitution of Alabama authorizing the Cities of Birmingham and Montgomery to levy and collect for municipal purposes an additional tax, at any rate not in excess of one-half of one percentum, which a majority of the qualified electors of said Cities voting at an election called for that purpose may authorize.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby ordered by the qualified electors of the State upon such proposed amendment, and the day hereby appointed for such election is the day of the general election next succeeding the present session of the Legislature, to-wit, November 1928. The proposed amendment is to add a new section or clause as follows:

ARTICLE XI.

Section 216-A. In addition to the taxes which the Cities of Birmingham and Montgomery are authorized to levy and collect under the Constitution as heretofore amended, each of said cities shall have the power and right to levy and collect in any year or years for any municipal purpose or purposes any rate of tax, not in excess of one-half of one percentum, on property situated therein, based upon the valuation of such property as assessed for state taxation for the year next preceding the levy, which a majority of the qualified electors of each such city voting at an election called and held as hereinafter prescribed, may authorize for such purpose or purposes. Said tax shall be used only for the purpose or purposes for which the same is authorized, levied and collected. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election

shall contain the words : "For authorization of additional taxation at rate not to exceed per cent for the year (or years) for the purpose or purposes of .....and "Against authorization of additional taxation at rate not to exceed percent for the year (or years) for the purpose or purposes of ....." The rate of taxation proposed shall be printed upon the ballot in the space indicated therefor, and the year or years in which the proposed rate is to apply, and the purpose or purposes for which such tax is to be used, shall be likewise printed in the respective spaces indicated therefor. The voter shall record his choice either for or against authorization of the proposed rate for the proposed purpose or purposes by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections in each of said municipalities to authorize the levy of such special tax may be held as often as ordered by the governing body thereof, but when a proposition is submitted to the electors of either of said municipalities for authorization to levy a special tax for a specifi purpose and such proposition is defeated, no second election for the same purpose shall be held in such municipality within one year thereafter. This section shall be self operative without any additional legislation.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper in each County of the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the proposed amendment immediately succeeding the following words: "Shall the following be adopted as Section 216-A, Article XI, of the Constitution of Alabama"? Immediately succeeding the text of the proposed amendment shall be printed the following:

"Yes.....

"No....."

The choice of the elector shall be indicated by cross-mark made by him or under his direction opposite the word expressing his desire.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the

appointment of officers to hold elections in this State, and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated and returns thereof made to the Secretary of State and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be shown by a proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Teasley:

S. 318. To amend Section 4928 of the Code of Alabama.

Judiciary.

By Mr. Teasley:

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

Judiciary.

REPORTS OF COMMITTEES

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tunstall (With Amendments):

H. 359. In reference to and to further provide for the General Revenue of the State of Alabama.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Caffey (With N. & P.):

S. 285. To amend Section 1 of an act, entitled "An act to divide the county of Lowndes into five districts and to provide for the election of a member of the Board of Revenue from each district" approved July 29th, 1907.

By Mr. Fite:

S. 143. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

By Mr. Fite (By request) (With N. & P.):

S. 273. For the relief of Lucien W. Brown.

By Mr. Caffey (With N. & P.):

S. 284. To amend Section 6 of an act entitled "An Act to establish a Board of Revenue for Lowndes County, and to define the powers and duties of said Board of Revenue" approved March 7, 1876.

By Mr. Bradford (With N. & P.):

S. 254. To provide for the election of a county superintendent of education for Cherokee county, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

By Mr. Stokes (With N. & P.):

S. 291. To provide for the payment of the fees of State's Witnesses in Criminal Cases in Dale County, Alabama.

By Mr. Stokes (With N. & P.):

S. 292. To provide for the relief of L. W. Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A. McKay, W. C. Barefield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitsgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Wee, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitsgerald, R. L. Andrews, A. L. Howell, Ab DeLoney, Parker and Flowers, P. A. Clark, W. H DeLoney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell, C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Molcomb Byrd, M. W. Redd, Welsey Gillian, J. C. Spears, Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson, Ned Byrd, W. A. Bloodworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. DeLoney, Henry DeLoney, Melvin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler John Woodall,

Ewell Byrd, Seaborn Bowman, Barney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Byrter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McDonald, Will McSwean, Bud Snell, M. C. Williford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nichlson, Oscar DeLoney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jas. F. Waters, A. V. Curenton, L. P. Curenton, E. L. Stokes, J. H. Hughes, A. C. Hughes, Dody Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sullivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Wigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thom. Watford, Lige Cotton, Bud Wilson, Lester Thompson, J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sulivon, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, L. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker, Lonie Baker, Oscar Brooks, Wesley Shiran, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, Arnie Sauls, M. F. Sauls. J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, D. W. Jacobs, Huey Bacherlor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin, S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parks, C. A. Davis, A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Halford, B. Q.; Albert Whitlock, Berry Simmons, Will Campbell, Giff Bradley, Foreman Lucus, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. A. Wesson, Geo. Overstreet, W. H. Senn, A. C. Hollis, J. S. Brooks Henry Condry, A. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugerbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. G. Chapman, W. M. Goodson, Henry Wilson, Joe

Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dasinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith, W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum, R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis, I. A. Snell, J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stucky, Henry Horn, D. M. Woods, C. W. Roberts, R. W .Sanders, D. C. Peebles, Waymon Tullis, A. F. Davis, Monk Underwood, M. F. Wemms, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Reynolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gimore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Abry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston, L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D. P. Mixsom, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Barrow, Mixsom Searcy, R. J. Davis, R. T. Stuckey, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards, Graey Gassett, Pate Gassett, Charlie Searcy, Cullen Whigham, Lewe Powell, Tom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Parramore, G. A. Tyler, G. L. Tyler, J. B. Philips, Fate Wilson, Nance Wil son, J. C. Kenner, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen, H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jess Baker, Johnie Truett, William Crawford, John Ingram, Jewe Sumers, Ad Moore, J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Early B. Kirklan, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. L. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

By Mr. Edwards (With N. & P.):

H. 129. To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

By Mr. James (With N. & P.):

S. 166. To allow the Sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama.

Mr. Mitchell Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis (Shelby) (With N. & P.):

S. 197. To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its board of Education and place the government and control of the Public Schools of said Town under the control of the County Board of Education and under State control.

By Mr. Mitchell:

S. 296. To provide for the revision, codification, digesting and promulgation of the public Statutes of Alabama relating to Education.

By Mr. Mitchell:

S. 266. To amend an act entitled an act to prescribe the qualifications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

Mr. Craft, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 293. To provide the purpose and use of the gasoline tax by the several counties of the State, and to provide the purpose and use of the automobile license tag money received by the

several counties and municipalities of the State, and to provide for the punishment of violations of this act.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 175. To prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

S. 130. To provide for the giving of notices and information by the clerks and registers of the courts of the State of Alabama relative to matters in cases pending therein.

S. 264. To further regulate primary and general elections of associate justices of the Supreme Court; justices of the Court of Appeals; judges of the Circuit Courts.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Mr. Ward (Tuscaloosa):

H. 125. To amend Section 8274 of the Code of Alabama of 1923, relating to married women over eighteen years of age being relieved of disabilities of minority.

Also:

Mr. Jordan (Etowah):

H. 403. To define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations and societies, and to provide penalties for violation of this act.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 125 To the Committee on Judiciary.

H. 403 To the Committee on Banking and Insurance.

RESOLUTION

The Rules Committee reported the following Joint Resolution:

S. J. R. 54. Resolved by the Senate, the House concurring, that when we adjourn today, we meet again Tuesday, June 28th.

And on motion of Mr. Brown, the rules were suspended, said report concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 54. Relative to the adjournment of the Two Houses until Tuesday, June 28th.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bills:

By Mr. Simpson:

H. 219. To amend Section 8588 of the Code of Alabama.

Also:

By Mr. Jeter:

H. 36. To amend Section 1 of an Act entitled "An Act, to provide for the election of a Solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of Deputy Solicitors and Assistant Solicitors, prescribe their duties and authority and fix their compensation". approved September 25, 1915.

Also:

By Mr. Hawkins:

H. 266. To prohibit the Probate Judges of this State from receiving for record any map or plat on which lands lying within the corporate limits or police jurisdiction of any city having a population of more than one hundred thousand inhabitants according to the last or any succeeding Federal census are mapped or platted as streets, alleys or other public ways unless such map or plat has noted thereon the approval of the City Engineer of such City.

Also:

By Mr. Ward of Geneva:

H. 292. To fix the salary of the Deputy Solicitor of Geneva County, Alabama, and provide for the manner of the payment of the same.

With notice and proof thereto attached and herewith exhiibted as follows:

PROOF OF PUBLICATION

I, Wm. L. Wilkinson, publisher of The Geneva County Reaper, a weekly newspaper published at Geneva, Geneva County, Alabama, do hereby state under oath that the annexed printed clipping is a true copy of the publication in said newspaper, clipped from the original issues of said newspaper and that the words and figures embraced therein appeared in said newspaper for four consecutive weeks on the following dates, to-wit: January 14th, 1927; January 21st, 1927; January 28th, 1927; and February 4th, 1927.

Wm. L. Wilkinson,
Publisher of The Geneva County Reaper.

Sworn to and subscribed before me this 7th day of February, 1927.

(Seal) W. R. Draughon,
Notary Public.

PUBLIC NOTICE

Notce is hereby given that application will be made to the Legislature of Alabama at the 1927 session thereof, for the passage of the following bill, to wit:

A bill to be entitled An Act To Fix the Salary of the Deputy Solicitor of Geneva County, Ala., and provide for the manner of payment of the same

Be it enacted by the Legislature of Alabama:

Section 1. That the salary of the Deputy Solicitor for Geneva County, Alabama, be, and the same hereby is, fixed at the sum of Twelve Hundred ($1,200.00) Dollars per year, payable out of the county treasury in monthly installments of One Hundred ($100.00) Dollars per month, the payment of such salary to be by warrant of the probate judge drawn on the treasury of the county on the first of each month; provided, however, that in case the amount of the solicitor's fees paid into the county treasury during any one year shall not equal the sum of Twelve Hundred ($1,200.00) Dollars the said Deputy Solicitor shall receive for his services only such amount as corresponds with the amount of solicitor's fees paid into the county treasury during that year.

Section 2. That all laws and parts of laws now in conflict with the provisions of this Act are hereby repealed.

Section 3. The provisions of this Act shall take effect immediately upon its approval by the Governor.

Also:

By Mr. Edwards:

H. 306. To prescribe the duties and fix the compensation of the Deputy Solicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this act.

With notice and proof and herewith exhibited as follows:

NOTICE

Notce is hereby given that application will be made to the regular session of the Alabama Legislature to pass a bill substantially as follows:

A bill to be entitled An Act to prescribe the duties and fix the compensation of the Deputy Solicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this act.

Be it enacted by the Legislature of Alabama as follows:

Section 1. That it shall be the duty of the Deputy Solicitor of Choctaw County, Alabama, to represent the State in all cases in the County Court and inferior courts, and all preliminary proceedings, applications for bail and Habeas Corpus proceedings in all courts, aid or act for the Circuit Solicitor before the Grand Jury and in all matters in the Circuit Court and perform all duties of the Circuit Solicitor in his absence; also to attend Coroner's inquest and represent the State on such inquest and after an examination of witnesses before Coroner's inquest to select such witnesses as in his judgment should appear before the Grand Jury or on any preliminary or Habeas Corpus growing out of an assest as a result of such Coroner's inquest; the Deputy Solicitor shall also have power to issue subpoenas for witnesses to attend the Grand Jury.

Section 2. That the salary of the Deputy Solicitor for Choctaw County, Alabama, be and the same is, fixed at the sum of $1,200.00 per year, payable out of the general fund of the County on warrants drawn by the Probate Judge of said County in monthly installments of $100.00 per month, the payment of such salary to be by warrant of the Probate Judge drawn on the treasury of the County on the first of each month; provided, however, that in case the amount of Solicitor's fees paid into the County treasury during any one year shall not equal the sum of $1,200.00 the said Deputy Solicitor shall receive for his services only such amount as corresponds with the amount of Solicitor's fees paid into the County treasury during that year.

Section 3. That all laws and parts of laws now in conflict with the provisions of this act are hereby repealed.

Section 4. The provisions of this act shall take effect immediately upon the approval by the Governor.

W. R. Edwards,

THE STATE OF ALABAMA,
Choctaw County.

Personally appeared before me the undersigned authority R. N. Moody, Editor and Publisher of The Choctaw Advocate, a Newspaper published at Butler, Ala., in said county and state, who first being duly sworn by me, deposes and says the attached notice was published for four consecutive weeks in said paper, beginning with issue of January 12th 1927 and ending with issue of February 2nd, 1927.

R. N. Moody,
Editor and Publisher.

Sworn to and subscribed before me this the 2nd day of February, 1927.

J. H. Edgar,
Clerk of Circuit Court.

Also:

By Mr. Rogers (Elmore):

H. 320. To fix the salary of the Deputy Solicitor of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
Elmore County.

Notice is hereby made that application will be made in the Legislature of Alabama, at the 1927 session thereof, for the passage of the following Bill, to-wit:

A Bill to be entitled an Act to fix the salary of the Deputy Solicitor of Elmore County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. The Salary of the Deputy Solicitor of Elmore County, Alabama, be, and the same is hereby fixed at the sum of Twelve Hundred Dollars ($1,200.00) per year, payable in monthly installments of One Hundred Dollars ($100.00) per month, provided, however, that the said salary shall be paid from the fees earned by such solicitor in the County Court and should the said fees so earned in the County Court be less than the sum of Twelve Hundred Dollars ($1200) per year, then the said salary of the Deputy Solicitor of Elmore County, Alabama, shall be the fees earned in the County Court of Elmore County, for the calendar year.

Section 2. That all laws and parts of laws in conflict with the provisions of this act hereby are repealed.

Section 3. That this act shall go into effect immediately upon its approval by the Governor.

STATE OF ALABAMA,
Elmore County.

I, Frances Golson, editor of The Weekly Herald, a newspaper published in the State and County aforesaid, do hereby certify that the hereunto attached notice was published in the said Weekly Herald for four consecutive times viz: January 20th and 27th and February 3rd and 10th, 1927.

Witness my hand this the 10th day of February, 1927.

Frances Golson

Subscribed and sworn to this the 10th day of February, 1927.

G. H. Howard,
Judge of Probate.

Also:

By Mr. Powell:

H. 325. To repeal an Act entitled an Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24, 25 and 38 of an act entitled an act to better provide for establishing, working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature in substance as follows:

AN ACT

To repeal an Act Entitled "An Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24, 25 and 38 of an act entitled an act to better provide for establishing, working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903."

Section 1. Be it enacted by the Legislature of Alabama, That an act, entitled, "An act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24, 25, and 38 of an act to better provide for establishing, working and maintaining the public roads and bridges in Walker County, Alabama, approved March 6, 1903" which said act was approved August 2, 1907, be and the same is hereby repealed.

J. B. Powell.

THE STATE OF ALABAMA,
Walker County.

Before me, the undersigned authority in and for said State and County, this day personally appeared L. S. Richardson, Business Manager of The Mountain Eagle, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached was published in the said Mountain Eagle once a week for four consecutive weeks namely Jan. 19th, Jan. 26th, Feb. 2nd and Feb. 9th, 1927.

L. S. Richardson,
Business Manager.

Sworn and subscribed to before me, this 9 day of February, 1927.

Thelma Baird,
Notary Public.

Also:

By Mr. Deloney:

H. 346. To vacate and abandon certain described portions of certain streets, avenues and alleys, in the City of Sheffield, County of Colbert, and State of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE AND PROOF H. 346:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that application will be made to the Legislature of the State of Alabama to enact into law at the session of the Legislature commencing on the 11th day of January, 1927, the following bill, which will be introduced for enactment at the said session of said Legislature:

A BILL

To be entitled: An Act to vacate and abandon certain described portions of certain streets, avenues and alleys, in the City of Sheffield, County of Colbert and State of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That all of the parts of the streets, avenues, and alleys, designated according to J. J. Treveres' map of the City of Sheffield, Alabama, as recorded in the office of the Probate Judge of Colbert County, Alabama, described as follows, be and the same are hereby vacated and abandoned as streets, avenues, and alleys, of the City of Sheffield, Alabama.

All that portion of that certain alley which runs north and south through that part of block numbered 652 lying north of the right of way of the Jackson Highway; all of that portion of that certain sixteen-foot alley which runs northwest and southeast through block numbered 208; all of that portion of that certain sixteen-foot alley which runs northwest and southeast through block numbered 190; all that portion of Eighth Avenue lying between blocks 208 and 190; all that portion of Twenty-first Street described as follows: Beginning at the northern-most corner of block numbered 208; thence in a northeasterly direction, along the southeast margin of Ninth Avenue extended, twenty feet; thence in a southeasterly direction parallel to the southwestern margin of Twenty-first Street, 1340 feet, to the point where said line intersects the northwestern margin of Sixth Street extended; thence in a southwesterly direction, along the northwestern margin of Sixth Street extended, 20 feet to the easternmost corner of block

numbered 174; thence in a northwesterly direction, along the southwestern margin of Twenty-first Street, 1340 feet to the point of beginning.

Section 2. Be it further enacted, that all that certain fifty-foot street, known as Alabama Court, together with the circular drive at the northwest terminus of said Alabama Court as shown and designated on the map of River Bluff Subdivision in Sheffield, Alabama, made by R. E. Meade, Civil Engineer, and filed for record in the office of the Probate Judge of Colbert County, Alabama, and recorded in map book 2, pages 334 and 335, Colbert County records, be and the same are hereby vacated and abandoned as streets of the City of Sheffield, Alabama.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

STATE OF ALABAMA,
Colbert County.

Before me, Clopper Almon, a Notary Public in and for said County in said State, personally appeared Wilmer T. Goodloe, who, being by me first duly sworn, deposes and says on oath as follows:

My name is Wilmer T. Goodloe. I am over 21 years of age. I am the editor and publisher of The Sheffield Standard. It is a weekly newspaper published in, and of general circulation in Sheffield, Colbert County, Alabama. The above and foregoing notice was published in said newspaper once a week for four consecutive weeks, namely: On January 7th, 14th, 21st and 28th, 1927.

W. T. Goodloe,
Editor and Publisher, Sheffield Standard.

Sworn to and subscribed before me this 14th day of February, 1927.

Clopper Almon,
Notary Public, Colbert County, Alabama.

Also:

By Mr. Deloney:

H. 347. To vacate and abandon a certain described portion of a certain street in the City of Sheffield, County of Colbert, and State of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LEGISLATION

Notice is hereby given that application will be made to the Legislature of the State of Alabama to enact into law at the session of the Legislature commencing on the 11th day of January, 1927, the following bill, which will be introduced for enactment at the said session of said Legislature:

A BILL

To be entitled An Act to vacate and abandon a certain described portion of a certain street in the City of Sheffield, County of Colbert and State of Alabama.

Be it enacted by the Legislature of Alabama that that part of Fifteenth Street between blocks numbered 505 and 506, in the City of Sheffield, Alabama, more particularly described as that part of Fifteenth Street beginning on the southeast side of Twentieth Avenue and running in a southeasterly direction to the railroads going to the furnaces, be and the same is hereby vacated and abandoned as a street in the said City of Sheffield, Alabama.

STATE OF ALABAMA,
Colbert County.

Before me, Clopper Almon, a Notary Public in and for said County in said State, personally appeared Wilmer T. Goodloe, who, being by me first duly sworn, deposes and says on oath as follows:

My name is Wilmer T. Goodloe. I am over 21 years of age. I am the editor and publisher of The Sheffield Standard. It is a weekly newspaper published in, and of general circulation in Sheffield, Colbert County, Alabama. The above and foregoing notice was published in said newspaper once a week for four consecutive weeks, namely: On January 7th, 14th, 21st and 28th, 1927.

W. T. Goodloe,
Editor and Publisher, Sheffield Standard.

Sworn to and subscribed before me this 14th day of February, 1927.

Clopper Almon,
Notary Public, Colbert County, Alabama.

Also:

By Mr. Baldwin:

H. 348. To relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following will be offered for passage at the present session of the Legislature of the State of Alabama, which convened January 11, 1927.

An Act to relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Be it enacted by the Legislature of Alabama:

Section 1. That the Tax Assessor of Covington County, Alabama, shall not be required to prepare the book of assessments, but in lieu thereof shall be required to arrange in alphabetical order original assessment lists, and cause the same to be permanently bound, and such assessment lists when bound shall constitute the book of assessments to all intents and purposes. Such assessment lists when bound shall be preserved permanently as a matter of record, and provided that in making the collector's abstracts such abstracts shall be made direct from the assessment lists.

Section 2. That this Act shall be effective on its approval by the Governor.

E. O. Baldwin,
Representative of Covington County, Alabama.

THE STATE OF ALABAMA,
Covington County.

Before me, Annie Ruth Broxson, a Notary Public in and for said County and State, this day personally appeared O. M. Dugger, who, being first duly sworn to speak the truth, deposes and says: That he is editor of The Andalusia Star, a newspaper published in Covington County, and that the notice

hereto attached, the same being a Notice of a Local Law for Covington County, Alabama, was published in The Andalusia Star, giving notice of intention to introducel a bill in the Legislature, for four weeks in successive order on the following dates: January 14th, January 21st, January 28th and February 4, 1927.

O. M. Dugger.

Sworn to and subscribed before me on this the 6th day of June, 1927.

Annie Ruth Broxson,
Notary Public.

Also:

By Mr. Baldwin:

H. 349. To provide for the election of a County Superintendent of Education for Covington County, Alabama, by the qualified electors thereof; to fix such officer's term of office, his salary; to provide for said officer's entering into bond and the amount thereof; to prescribe his duties and powers and to provide penalties for failure to perform said duties, and to fix his qualifications and to repeal all laws in conflict with said Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that at the adjournment regular session of the Legislature of Alabama to convene on June 7th, 1927, a bill will be introduced for passage and enactment into law providing in substance as follows: To provide for the election of the County Superintendent of Education of Covington County, Alabama, by the qualified electors of said county in the general election to be held for said county in 1928 and every four years thereafter; to fix said superintendent's term of office and his salary and to provide the manner of payment thereof and to provide for said officer entering into official bond; to prescribe his duties and powers and to provide penalties for failure to perform said duties and to fix his qualifications and to repeal all laws in conflict with said Act.

E. O. Baldwin,
Representative of Covington County, Alabama.

THE STATE OF ALABAMA,
Covington County.

Before me, Annie Ruth Broxson, a Notary Public in and for said County and State, this day personally appeared O. M. Dugger, who, being first duly sworn to speak the truth, deposes and says: That he is editor of The Andalusia Star, a newspaper published in Covington County, and that the notice hereto attached, the same being a Notice of a Local Law for Covington County, Alabama, was published in The Andalusia Star, giving notice of intention to introduce a bill in the Legislature, for four weeks in successive order on the following dates: April 26th, May 3, May 10th and May 17th, 1927.

O. M. Dugger.

Sworn to and subscribed before me on this the 6th day of June, 1927.

Annie Ruth Broxson,
Notary Public.

Also:

By Mr. Baldwin:

H. 330. To provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the grand jury.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the next regular session of the Legislature of Alabama to convene in January, 1927, a bill will be introduced for passage and enactment into law providing in substance as follows: To provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County otherwise than by indictment by the grand jury.

Section 1. Be it enacted by the Legislature of Alabama; that from and after the passage of this Act prosecutions of persons charged with misdemeanors in Covington County may be begun by affidavit made before the Clerk of the Circuit Court of Covington County, and that thereupon the jurisdiction of the Circuit Court of Covington County shall attach, and the same shall proceed to trial and judgment under the same rules and procedure as provided by law in misdemeanor cases.

Section 2. Nothing in this Act shall be construed as to in any manner interfere with or affect prosecutions for misdemeanors upon indictment found by the grand jury in the Circuit Court of Covington County.

Section 3. This Act shall take effect upon its approval by the Governor.

E. O. Baldwin,
Representative of Covington County.

THE STATE OF ALABAMA,
Covington County.

Before me, Annie Ruth Broxson, a Notary Public in and for said County and State, this day personally appeared O. M. Dugger, who, being first duly sworn to speak the truth, deposes and says: That he is editor of The Andalusia Star, a newspaper published in Covington County, and that the notice hereto attached, the same being a Notice of a Local Law for Covington County, Alabama, was published in The Andalusia Star, giving notice of intention to introduce a bill in the Legislature, for four weeks in successive order on the following dates: January 7th, January 14th, January 21st, January 28th, 1927.

O. M. Dugger.

Also:

By Mr. Bartlett:

H. 356. To establish a county court for DeKalb County Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County Alabama to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb

County Court to the equity side of the Circuit Court of DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama to establish in and for DeKalb County, Alabama, a Court to be called the DeKalb County Court, to create and define its jurisdiction, to provide for its officers, their powers, duties and compensation; to fix the terms of said court; to prescribe rules and procedure for said court; to provide for the transfer of all misdemeanors now on the Circuit Court docket in said county to said court, and for the transfer to said court of all misdemeanor cases which may hereafter be returned by indictment into the Circuit Court, to provide for the transfer by agreement of parties all civil suits pending on said docket where the amount involved does not exceed the jurisdiction of said court, to provide for the transfer to said court of cases arising in the Probate Court of DeKalb County involving the contest of a will and for the transfer from said court to the Circuit Court in Equity of cases filed in said court where there is an equitable defense.

STATE OF ALABAMA,
DeKalb County.

Before me, Lee S. Baker, a Notary Public in and for said County and State aforesaid, this day personally appeared E. O. Davidson, who being by me first duly sworn, deposes and says that he was editor, manager and publischer of The DeKalb County Herald, a newspaper published in the City of Fort Payne, DeKalb County, Alabama, and that the above and foregoing notice has been published every week for four consecutive weeks in said newspaper during the months of January and February, 1927.

E. O. Davidson.

Sworn to and subscribed before me this the 2 day of June, 1927.

Lee S. Baker,
Notary Public.

Also:

By Mr. Quillin:

H. 358. To fix and regulate the fees of State witnesses in criminal cases in the Law and Equity Court and Circuit Court of Franklin County, Alabama, and before the Grand Jury of said County, and to provide for the payment thereof, and to provide for the collection of witness fees from defendants convicted and for the disposition of the same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL LAW

THE STATE OF ALABAMA,
Franklin County.

To Whom It May Concern:

You will take notice that at the next session of the Legislature of Alabama, that a bill will be introduced and an effort made to have the same enacted into law, to provide for the payment of the State witnesses, who

are subpoenaed to appear in the Law and Equity Court of Franklin County, in the Circuit Court, and before the grand jury of Franklin County, which is in substance, to-wit:

Be it enacted by the Legislature of Alabama:

Section 1. That witnesses in criminal cases in the Law and Equity Court of Franklin County, Alabama, except in preliminary hearings, and in the Circuit Court of said county, and before the grand jury of said county, are entitled to one dollar per day and five cents per mile to and from their residence by the route usually traveled.

Section 2. The fees of such witnesses subpoenaed on the part of the State to appear in the Law and Equity Court, except in preliminary hearings, or the Circuit Court or before the grand jury of said county, shall be a preferred claim against the fine and forfeiture fund of said county, and provided that if said fund is exhausted at the time of the presentment of the certificates for said fees, then such fees shall be paid out of the general fund of the county.

Section 3. That all witness fees mentioned under section two of this Act, when collected by the clerk of the court shall be paid by him into the fine and forfeiture fund of Franklin County, and provided further that the fees of witnesses shall be collected by said clerk as now fixed and provided by law; the true intent and purpose of this Act being to pay the State witnesses cash for their attendance at the court, and to collect the fees as now fixed by law for the benefit of the fine and forfeiture fund of said county.

Section 4. This shall take effect immediately upon its approval by the Governor.

PRINTER'S AFFIDAVIT

THE STATE OF ALABAMA,
Franklin County.

Before me, M. C. Hester, Clerk Circuit Court in and for said State and County, personally appeared Geo. L. Cleere, publisher of The Franklin Times, a weekly newspaper published at Russellville, Alabama, in the County of Franklin, who being duly sworn, states on oath that the below attached notice (in regard to the local bill, providing for the payment of State witnesses in Franklin County, Alabama) was published in The Franklin Times once a week for four consecutive weeks, beginning with the issue dated April 28, 1927, and ending with the issue dated May 19, 1927.

George L. Cleere,
Publisher.

Sworn to and subscribed before me this the 2nd day of June, 1927.
(Seal) M. C. Hester,
Clerk Circuit Court of Franklin County, Alabama.

Also:

By Mr. Tompkins:

H. 362. To repeal an Act entitled an Act to provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads

of said county; and to provide and fix penalties for the violation of the provisions of this Act, approved February 21, 1927.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is given of the intention to apply to the Legislature of Alabama at the General Session of the Legislature of 1927, for the passage of a law by the Legislature of Alabama to repeal an Act entitled "An Act to provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act."

Approved February 21, 1927.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
Houston County.

Before the undersigned, a Notary Public in and for said County and State, personally appeared W. C. Batchelor, Manager of the Dothan Eagle, a newspaper published in Dothan, Houston County, Alabama, who being by me duly sworn, deposes and says: That a copy of the attached notice and application was published once a week for four consecutive weeks on the following dates, to-wit: April 23, 1927; April 30, 1927; May 7, 1927; and May 14, 1927 in the Dothan Eagle, without cost to the State of Alabama.

W. C. Batchelor,
Manager.

Sworn to and subscribed before me on this the 17 day of May, 1927.

(Seal) Maude Bughman,
Notary Public, Houston County, Alabama.

Also:

By Mr. Vickers:

H. 376. To provide for the appointment of deputy clerks for the Inferior Criminal Court of Mobile County: To prescribe the duties and fix the compensation and salary of such deputy clerks.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the bill herein below set forth will be presented for passage and enactment to the Legislature of Alabama at the regular session thereof which commenced the second Tuesday in January, 1927:

A BILL

Entitled An Act to provide for the appointment of deputy clerks for the Inferior Criminal Court of Mobile County; to prescribe the duties and fix the compensation and salary of such deputy clerks.

Be it enacted by the Legislature of Alabama:

Section 1. That immediately after the passage of this Act the Clerk of the Inferior Criminal Court of Mobile County, shall by and with the consent of the judge of said court, subject to removal at the will of the clerk of said court, appoint two deputy clerks for the Inferior Criminal Court of Mobile County, in lieu of the assistant clerk as now provided by law. The said deputy clerks shall be known and designated as the First Deputy Clerk and the Second Deputy Clerk respectively, and shall possess all the powers and authority now or hereafter possessed by law by the Clerk of the Inferior Criminal Court of Mobile County, by whom the deputies are respectively appointed.

Section 2. The first deputy clerk shall receive as compensation for services as such the sum of $200.00 per month, payable out of the County Treasury of Mobile County, and the second deputy clerk shall receive as compensation for services as such the sum of $100.00 per month, payable out of the County Treasury of Mobile County.

Section 3. This Act shall be effective upon the approval by the Governor, and all laws or parts of laws, general, local or special in conflict herewith are hereby expressly repealed.

THE STATE OF ALABAMA,
Mobile County.

Before me, Jas. S. Lynch, a Notary Public in and for said County in said State, this day personally came Mrs. C. W. Thomas, who being by me duly sworn, deposes and says that she is the publisher of the Citronelle Call, a weekly newspaper published and distributed in said County of Mobile, Alabama, and that notice of the intention to apply to the Legislature of Alabama at the regular session thereof beginning on the second Tuesday of January, 1927, for the passage of a certain local bill of which a copy is hereto attached, was published without cost to the State, in said County of Mobile, stating the substance of said proposed law, once a week for four consecutive weeks, in said Citronelle Call, on April 22nd and 29th and on May 6th and 13, 1927.

Mrs. C. W. Thomas.

Subscribed and sworn to before me by Mrs. C. W. Thomas on this the 3rd day of June, 1927.

(Seal)

Jas. S. Lynch,
Notary Public, Mobile County, Ala.

Also:

By Mr. Stewart of Bibb:

H. 417. To provide for the establishment, change and discontinuance of public roads in Bibb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LEGISLATION

The following bills will be presented for passage by the Legislature of Alabama, 1927: A bill to be entitled An Act for Bibb County; to provide for the establishment, change and discontinuance of public roads in the County of Bibb, Alabama, and the manner, by application to the commissioners' court, and of giving notice of the same and the time notice shall be given and the appointment of a jury of three disinterested freeholders to view and mark out said route and assess the damages if any.

This is to certify that the proposed notices of bills hereto attached were published in the issues of the Blocton Enterprise of March 10, 17, 24 and 31, 1927.

C. E. Allen,
Publisher Blocton Enterprise.

Sworn to and subscribed before me this 31st day of May, 1927.
W. H. Wright,
Notary Public for Bibb County, Alabama.

Also:

By Mr. Stewart of Bibb:

H. 418. To provide for the election of a County Superintendent of Education for Bibb County, Alabama, to prescribe his qualifications and to fix his salary and term of office.

With notice and proof thereto attached and herewith exhibited as follows:

A bill to be entitled An Act to provide for the election of a County Superintendent of Education for Bibb County, Alabama, and to provide his qualifications, and to fix his term of office and to fix his salary and the manner of electing said superintendent by the qualified voters of Bibb County, Alabama.

This is to certify that the proposed notices of bills hereto attached were published in the issues of the Blocton Enterprise of March 10 ,17, 24 and 31, 1927.

C. E. Allen,
Publisher Blocton Enterprise.

Sworn to and subscribed before me this 31st day of May, 1927.
W. H. Wright,
Notary Public for Bibb County.

Also:

By Mr. Cannon:

H. 426. To provide for the election of a county superintendent of education of Fayette County, Alabama, and to prescribe his qualifications, and to fix his salary or compensation, and to provide for payment of said salary.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the regular session which convened on Tuesday, the 7th day of June, 1927, and of the intention to have said bill passed and enacted at said session the substance, essential and material parts thereof, and the bill in full as part of this notice being as follows:

A bill to be entitled An Act to provide for the election of a county superintendent of education of Fayette County, Alabama, and to prescribe his qualifications, and to fix his salary or compensation, and to provide for payment of said salary.

Section 1. Be it enacted by the Legislature of Alabama, that a county superintendent of education for Fayette County, shall be elected by the qualified voters of said county at the next general election in November, 1928, and every four years thereafter and shall hold office for the term of

four years from the first Monday after the second Tuesday in January, next after said election, and until his successor is elected and qualified.

Section 2. No one shall hold the office of county superintendent of education of Fayette County, who is not a graduate of a standard or a normal school, or who has not completed courses in other institutions that, in the opinion of the State Board of Education, are equivalent to such education, or who does not hold a first grade or life certificate, and in addition thereto has had at least three years of successful teaching experience.

Section 3. That the annual salary or compensation of the county superintendent of education of Fayette County, Alabama, shall not be less than fifteen hundred dollars ($1500.00), or more than twenty-four hundred dollars ($2400.00), said amount of salary to be fixed by the County Board of Education of Fayette County, Alabama.

Section 4. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

W. M. Cannon.

PUBLISHER'S AFFIDAVIT

The State of Alabama,
Fayette County.

Before me, R. F. Peters, Register of the Circuit Court in and for said County, in State aforesaid, personally appeared Thos. M. Peters, Jr., who, being duly sworn, doth depose and say that he is publisher of The Northwest Alabamian, a weekly newspaper published in the Town of Fayette, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper once a week for 4 consecutive weeks prior to the 18th day of May, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit: The 20th day of April, 1927; the 27th day of April, 1927; the 4th day of May, 1927; the 11th day of May, 1927; the 18th day of May, 1927.

Thos. M. Peters, Jr., Publisher.

Sworn to and subscribed before me, this 4th day of June, 1927.

R. F. Peters,
Register of the Circuit Court.

Also:

By Mr. Stephens:

H. 429. To provide that in Blount County, the Assessment Lists or Sheets shall constitute the Book of assessments as required by the General Revenue Law.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced before the present session of the Legislature:

AN ACT

To provide that in Blount County, the Assessment Lists or Sheets shall constitute the book of assessments as required by the General Revenue Law.

Sec. 1. Be it enacted by the Legislature of Alabama: That on and after the passage and approval of this Act, that in Blount County, Alabama, the Tax Assessor shall not be required to prepare a book of assessments as provided for in the General Revenue Law but in lieu thereof shall

be required to arrange in alphabetical order, according to beats, the original assessment lists and cause the same to be permanently bound and such assessment lists, when bound, shall constitute the books of assessments as provided by law. Such assessment lists, when bound, shall be preserved the same as assessment books. Provided further that in making the Tax Collector's Abstracts, such abstracts shall be made direct from the assessment lists.

Sec. 2. All law and parts of laws in conflict with this Act are hereby repealed.

The State of Alabama,
Blount County.

Before the undersigned authority, personally appeared F. G. Stephens, the editor and publisher of the Southern Democrat, a weekly newspaper published at Oneonta in the County of Blount and State of Alabama, who being duly sworn deposes and says on oath the notice attached hereto was published for four successive weeks in said above named newspaper, beginning Jan. 27th, 1927, and ending Feb. 17th, 1927, that the same was published in conformance with the laws of said State for the advertising of local legislation as set forth in said local bill relieving the Tax Assessor of Blount County from making assessment books for said county, by binding the assessment sheets together which shall constitute said requirements of said law.

F. G. Stephens, Editor & Pub.

Subscribed and sworn to before me this 30 day of April, 1927.
Emma Haygood Harris.
Notary Public.

Also:

By Mr. Darden:

H. 552. To authorize and empower the Commissioners' Court of Coosa County, Alabama, to donate, contribute or appropriate any of the public funds of said county, not otherwise designated, to the public schools of the county for building, rebuilding, repairing, painting, enlarging, or seating purposes as the condition of the county treasury or finances may permit in their judgment from time to time.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL

To be entitled An Act to authorize and empower the Commissioners' Court of Coosa County to donate, contribute or appropriate to the public schools of the county for building, rebuildnig, repairing, painting, enlarging or seating purposes as the condition of the county treasury may warrant from time to time out of the general funds of the county.

Be it enacted by the Legislature of Alabama,

1. The Commissioners' Court of Coosa County, Alabama, is hereby authorized and empowered, from time to time, as the financial condition of the county treasury may warrant in the judgment of the said Commissioners Court of Coosa County to donate, contribute or appropriate out of the general funds of said county to any public school within the county for the purposes of building, rebuilding, enlarging, repairing, painting or seating any public school building in the county.

2. It shall be lawful to pay said funds to any person or persons having control of the building, rebuilding, enlarging, painting, or seating of any public school building in the county, and this shall apply to any committee seeing after said work for the public schools where funds are contributed.

3. All laws and parts of laws in conflict with this Act are hereby repealed.

LEGAL NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama the foregoing bill will be introduced for passage.

This May 2, 1927.

John A. Darden,
Representative, Coosa County, Alabama.

State of Alabama,
Coosa County.

Personally appeared before me, the undersigned authority in and for said County in said State, W. P. Pruitt, who, first being duly sworn, doth depose and say on oath:

That he is the owner, publisher and editor of The Rockford Chronicle, a weekly newspaper published and printed in Coosa County, Alabama; that the attached notice of a local bill was published in four consecutive issues of said newspaper being the issues bearing dates of May 5th, 12th, 19th and 26th, 1927.

W. P. Pruitt.

Subscribed and sworn to before me this the 7th day of June, 1927.

Henry O. Tell,
Notary Public, Coosa County, Alabama.

Also:

By Mr. Langdon:

H. 457. To provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified electors thereof and to prescribe the duties and fix the term and compensation of such officers.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO ELECT COUNTY SUPERINTENDENT

The following bill will be introduced in the present session of the Alabama Legislature authorizing the election of county superintendent of Pickens County by a popular vote:

A bill to be entitled An Act to provide for the election of a county superintendent of education for Pickens County, Alabama, by the qualified electors thereof and to prescribe the duties and fix the term and compensation of such officers.

Be it enacted by the Legislature of Alabama:

Sec. 1. At the general election for the year 1928, and every four years thereafter, there shall be elected a county superintendent of education for Pickens County, Alabama, by the qualified voters of said county, who shall hold office for a term of four years, from the first Monday in July next succeeding the election, and until a successor is elected and qualified.

Sec. 2. Candidates for the office of such superintendent of education shall be nominated as candidates for other county offices of Pickens County, Alabama, under the general laws of this State regulating primary elections.

Sec. 3. Such county superintendent of education must be a qualified

elector of the county in which he resides and possess all the other qualifications required under the general laws of the State for county superintendents of education; and they shall perform and discharge all the duties of county superintendents of education, under the general laws of this State. Provided that if there be a vacancy in said office from any cause whatever, the county board of Pickens County is authorized to fill such vacancy as is provided by the general laws of the State.

Sec. 4. Such county superintendent of education shall devote his entire time to the public school business of Pickens County, and shall receive such compensation as the county board of education shall fix, which shall not be less than fifteen hundred dollars nor more than three thousand dollars annually and shall be paid at the time and in the manner provided by the general laws of this State for the payment of salaries of county superintendents of education. The county board of education of Pickens County shall determine the amount and salary of office help, if any, to the county superintendent of education of Pickens County, and the same shall be paid at the time and in the manner provided in the general laws of the State for the paymet of such office help.

Sec. 5. All laws and parts of laws and contracts, in conflict with the provisions of this Act, in so far as they relate to Pickens County, Alabama, be and the same are hereby repealed.

Robert G. Langdon,
Member of Alabama Legislature.

PROOF OF PUBLICATION

The State of Alabama,
Pickens County.

Before me, B. G. Robison, Judge of the Court of Probate for said county, personally appeared Jack M. Pratt, publisher of The Pickens County Herald & West Alabamian, a newspaper published in said county, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for four consecutive weeks in said paper in issues dates as follows: Feb. 10, 1927; Feb. 17, 1927; Feb. 24, 1927; March 3, 1927.

Jack M. Pratt.

Subscribed and sworn to before me, this the 30 day of May, 1927.

B. F. Robison,
Judge of Probate.

Also:

By Mr. Ware:

H. 458. To provide for the election of a county superintendent of Education of Randolph County, Alabama, by the qualified electors of said county, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

With notice and proof thereto attached and herewith exhiibted as follows:

NOTICE

Notice is hereby given that the following bill will be introduced in the 1927 session of the Legislature of Alabama:

A bill to be entitled An Act to provide for the election of a county superintendent of education of Randolph County, Alabama, by the qualified

electors of said county, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

Be it enacted by the Legislature of Alabama:

Section 1. That a county superintendent of education for Randolph County, Alabama, shall be elected by the qualified electors of Randolph County, Alabama, at the next general election to be held in said county and State for the election of State and county officers in the year 1928, who shall hold office until his successor is elected and qualified as hereinafter provided.

Section 2. That at the next general election to be held for said county and State a county superintendent of education for Randolph County, Alabama, shall be elected, who shall hold office for a term of four years and until his successor is elected and qualified, unless sooner removed for good cause, and each four years thereafter a county superintendent of education for Randolph County, Alabama, shall be elected by the qualified electors of said county at the regular election, nominations for which office shall be made in the primary election as other county officers.

Section 3. That the salary of said county superintendent of education for Randolph County, Alabama, shall be fixed by the county board of education of Randolph County, Alabama, which salary shall not be less than eighteen hundred dollars nor more than twenty-seven hundred and fifty dollars per annum, and which salary shall be paid in the same way and manner as now provided under the general laws of the State of Alabama for the payment of the county superintendents of education in the several counties of the State.

Section 4. That said county superintendent of education shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the State in the conduct of the office of county superinetndent of education. No person shall be eligible for the office of county superintendent of said county who does not as now required hold an Alabama certificate in administration and supervision based upon graduation from a standard normal school or equivalent education with at least one year of additional study of college grade and proof of at least three years of successful teaching experience provided that, if no person possessing these qualifications is available for election as provided in this Act, the County Board of Education shall appoint a county superintendent as now provided by law.

Section 5. That in the event of a vacancy in said office for any cause, except removal, such vacancy shall be filled by the county board of education and the person so appointed shall hold office until the next general election thereafter, when his successor shall be elected; that should any county superintendent of education be removed for cause by the County Board of Education of Randolph County such vacancy shall be filled by appointment by the State Superintendent of Education and his appointee shall hold office as in the case provided by the appointment of the County Board of Education. Provided that the County Board of Education may remove the county superintendent of education for immorality, misconduct in office, incompetency, or willful neglect of duty when the best interests of the schools require it; any of which causes must be alleged and proved, and the county superintendent of education shall have the right to be heard in his defense as in cases of impeachment against county officers, and all such hearings shall be before the county board of education and shall be conducted as in cases provided under the general laws for the impeachment of officers, and provided that upon such removal for cause any county superintendent of education may appeal to the circuit court and have a trial by jury.

Section 6. That the duties and powers prescribed by the general laws of Alabama for the office of county superintendent in the supervision of the schools of the several counties shall apply to and be incumbent upon the county superintendent of education as provided for in this Act. The County Superintendent of Education elected or appointed under the provisions of this Act, and before entering upon the duties of said office, must take the oath of office prescribed by the Constitution, and give bond in the amount to be fixed by the State Board of Education in a reputable surety company authorized to do business in Alabama, conditioned upon the faithful performance of the duties of his office, and upon the accounting and paying over to the proper authorities all monies coming into his hands.

Section 7. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

State of Alabama,
Randolph County.

Before me, E. M. Moore, Judge of Probate, in and for said State and County, personally appeared J. H. Kerr, who being by me first duly sworn deposes and says on oath that he is editor nad publisher of the "Randolph Press", a newspaper published in Randolph County, Alabama, that he was editor and publisher of such newspaper on the dates set out below; that a notice was published in such newspaper that a bill would be introduced in the 1927 session of the State Legislature providing for the election of a county superintendent of education for Randolph County, Alabama; that such bill was published in full in such newspaper on the following dates, to-wit: the 22nd day of April, 1927; the 29th day of April, 1927; the 6th day of May, 1927; the 13th day of May, 1927; the 20th day of May, 1927; that a copy of such bill as published in said newspaper is attached to this affidavit and made a part hereof.

J. H. Kerr.

Sworn to and subscribed before me on this the 6th day of June, 1927.

E. M. Moore,
Judge of Probate.

And send the same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. B.'s 219, 266, To the Committee on Revision of Laws.

H. B.'s 36, 292, 320, 350, 356, 358, 376, To the Committee on Judiciary.

H. B.'s 306, 325, 348, 362, 417 To the Committee on Local Legislation.

H. B.'s 346 and 347 To the Committee on Municipalities and Municipal Organizations.

H. B.'s 349, 418, 426, 552, 457, 458 To the Committee on Education.

H. B. 429 To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested:

H. 239. To provide for the election of a county superintendent of education for Dale County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties and to provide for the election of his successor in office:

Also:

H. 388. To appropriate the sum of twenty-five thousand dollars ($25,000.00) out of the general fund in the State Treasury, not otherwise appropriated, for the relief of the State Child Welfare Department.

Also:

H. J. R. 70. Extending thanks of the Legislature of Alabama to the City of Mobile for its royal reception of them on their recent visit to that City.

J. H. Stewart,
Clerk.

SIGNING OF BILL AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolution the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

H. 340. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing, improving, repairing and maintaining public roads, highways and bridges as authorized by the constitutional amendment known as Article XXA of the Constitution of Alabama.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

Committee substitute for H. 340:

A BILL

To be entitled an Act, to authorize and provide for the issuance and sale of State Bonds for the purpose of constructing,

improving, repairing and maintaining Public Roads, Highways and Bridges as authorized by the Constitutional Amendment known as Article XXA of the Constitution of Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby authorized to be issued and sold interest bearing negotiable State Bonds in an amount not to exceed the sum of Twenty-five Million ($25,000,000.00) Dollars, for the purpose of securing funds to constrct, improve, repair and maintain public roads, highways, and bridges in the State of Alabama.

Section 2. Said bonds when issued and sold shall be exempt from all State, County and municipal taxes.

Section 3. The Governor, the Alabama Highway Director, in Alabama, and the Attorney General are hereby constituted a Bond Commission with full authority to have executed issued and to sell the bonds herein authorized. No member of the Bond Commission shall receive compensation in any form in the sale of these bonds. The Commission shall meet at the call of the Governor, who is hereby constituted its Chairman, and said Commission shall elect a Secretary of the Commission.

Section 4. Three shall constitute a quorum of the Bond Commission for the transaction of business and all proceedings had and done by said Bond Commission must be reduced to writing by the Secretary and recorded in a substantially bound book, and true copies of such proceedings shall be certified to the Treasurer, by the Chairman of said Commission, attested by the Secretary of the Commission.

Section 5. The Bonds hereby authorized shall be executed, sold and delivered on the behalf of the State of Alabama from time to time, and shall be in such denomination and numbers and series, and shall mature at such times, and bear such rate of interest, not exceeding six per cent (6%) per annum, payable semi-annually, as may be deemed expedient by the Bond Commission; but such bonds shall not be sold for less than the par value thereof.

Section 6. Such bonds shall be signed by the Governor, The State Auditor, State Treasurer and shall have attached thereto attested by the Secretary of State the Great Seal of the State of Alabama. Coupons shall be numbered and signed by the State Treasurer; provided, however, that the facsimile copy of the Treasurer's signature upon the interest coupons upon said bonds may be lithographed in lieu of signing the same.

Section 7. That payment for said bonds shall be made to the State Treasurer and a record and registration of said bonds shall be kept by the State Treasurer. The funds derived from the sale of such bonds shall be credited to the Highway fund and shall be used exclusively for the construction, improvement,

repair and maintenance of the public roads, highways, and bridges in Alabama, as authorized by law.

Section 8. The bonds issued under this Act shall be a direct obligation of the State and the full faith and credit of the State is pledged to the prompt payment of the principal and interest thereon. The bonds provided for by this Act are issued under the authority of the amendment to the Constitution known as Article XXA and adopted at an election held on April 12, 1927, authorizing the State to engage in the construction, improvement, repair and maintenance of public roads, highways and bridges in the State of Alabama, and authorizing the issuance and sale of interest bearing negotiable State Bonds in an amount not to exceed the sum of Twenty-five Million ($25,000,000.00) Dollars.

Section 9. Said bonds are entitled to the full benefit of the sinking fund provided by said constitutional amendment.

Section 10. Said bonds shall be negotiable instruments issued in coupon form with the privilege of registration as to principle or as to principle and interest. The Bond Commission is authorized to prescribe regulation for registering the bonds and the charge not to exceed more than 50c (Fifty Cents) per Thousand for each registration.

Section 11. Said bonds shall be made payable in gold coin of the United States of the present standard of weight and fineness, or its equivalent in the lawful currency of the United States.

Section 12. The principal and interest on said bonds shall be payable at the office of the State Treasurer's, or at the place of business of the State fiscal Agent in the City of New York, at the option of the holder.

Section 13. This Act shall become operative immediately upon its passage and approval by the Governor; and all laws and parts of law in conflict herewith are hereby expressly repealed.

Mr. Walker offered the following amendment to said Substitute to-wit:

Amend Section 5 of Committee Substitute for H. B. 340 by striking the words "five per cent (5%)" and by inserting in lieu thereof the words "six per cent (6%)"

Which was adopted:

Yeas, 28; Nays, 0.

Yeas:

Messrs:

Bonner	Craft	Hines	Justice
Bradford	Edgar	Holmes	Loflin
Caffey	Ellis of Dallas	Jackson	Mitchell
Carlton	Fite	James	Moore
Cowan	Hall	Jones	Oliver

Stanley	Teasley	Walker	Warren
Stokes	Thompson	Walton	Young

—28

Nays:—None.

And the Committee Substitute, as thus amended, was then adopted.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Oliver
Bradford	Ellis of Shelby	Justice	Stanley
Brown	Hall	Loflin	Stokes
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Moore	Walton
Craft	Jackson	Nixon	Young
Edgar	James		

—26

Nays:—None.

And said bill, H. 340, as thus amended, was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Loflin	Stokes
Carlton	Hall	Mitchell	Teasley
Cowan	Hines	Moore	Walker
Craft	Holmes	Nixon	Walton
Edgar	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Oliver	Young
Ellis of Shelby	James	Stanley	

—27

Nays:—None.

The Bill:

H. 364. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this Act, or rules of said Commission.

Was taken up.

Mr. Nixon moved that the further consideration be postponed until the next Legislative day.

Mr. Fite moved that the motion of Mr. Nixon be laid upon the table, which motion prevailed and the motion of Mr. Nixon was tabled.

Mr. Bonner moved that said bill be indefinitely postponed.

Mr. Fite moved that the motion of Mr. Boner be laid upon the table, which motion prevailed and said motion was tabled.

Yeas, 20; Nays, 13.

Yeas:				
Messrs:				
Bradford	Ellis of Dallas	Moore	Teasley	
Carlton	Fite	Oliver	Walker	
Cowan	Jackson	Smith	Walton	
Craft	James	Stanley	Warren	
Edgar	Mitchell	Stokes	Young	
				—20
Nays:				
Messrs:				
Bonner	Hall	Jones	Nixon	
Brown	Hines	Justice	Nolen	
Caffey	Holmes	Loflin	Thompson	
Ellis of Shelby				
				—13

PAIR ANNOUNCED

Mr. Jack announced that he and Mr. Williams were paired on this vote; that Mr. Williams, if present, would vote yea and he, Mr. Jack, would vote nay.

Said bill was then read a third time at length and passed.

Yeas, 16; Nays, 9.

Yeas:				
Messrs.:				
Bradford	Fite	Moore	Teasley	
Carlton	Jackson	Oliver	Walton	
Cowan	James	Smith	Warren	
Edgar	Mitchell	Stanley	Young	
				—16
Nays:				
Messrs:				
Bonner	Jones	Loflin	Nolen	
Brown	Justice	Nixon	Thompson	
Caffey				
				—9

PAIRS ANNOUNCED

Mr. Ellis of Shelby announced that he and Mr. Craft were paired on this vote; that Mr. Craft, if present, would vote yea and he, Mr. Ellis of Shelby would vote nay.

Mr. Ellis of Dallas announced that he and Mr. Hines were paired on this vote; that Mr. Hines, if present, would vote nay and he, Mr. Ellis of Dallas would vote yea.

Mr. Hall announced that he and Mr. Walker were paired on this vote; that Mr. Walker, if present, would vote yea and he, Mr. Hall, would vote nay.

Mr. Stokes announced that he and Mr. Holmes were paired on this vote; that Mr. Holmes, if present, would vote nay and he Mr. Stokes, would vote yea.

Mr. Jack announced that he and Mr. Williams were paired on this vote; that Mr. Williams, if present, would vote yea and he, Mr. Jack, would vote nay.

The Bill:

H. 138. To create a State Service Commissioner, and to fix the duties and compensation of such commissioner, and to make an appropriation to carry out the purpose of this Act.

Was taken up.

Mr. Stokes offered the following amendment to said bill to-wit:

Amend Section 2 of House Bill 138, so that the same shall read as follows:

The State Service Commissioner shall be appointed by the Governor of Alabama, and shall hold office at the discretion of the Governor of Alabama, provided that such Commissioner shall be appointed from among three ex-service men who were in the military or naval service of the United States during the period between April 6, 1917 and November 11, 1918, and have been honorably discharged therefrom, whose names shall be selected and submitted to the Governor by the Department, Executive Committee of the American Legion, Department of Alabama, and all subsequent appointees to such office shall be selected in like manner and possess like qualifications.

Which was adopted.

Yeas, 21; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Justice	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Jack	Nixon	Thompson
Carlton	Jackson	Nolen	Walton
Edgar	James	Oliver	Young
Ellis of Shelby			—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Bradford	Fite	Moore	Teasley
Brown	Jack	Nixon	Thompson
Caffey	James	Nolen	Walton
Carlton	Jones	Oliver	Warren
Edgar	Justice	Stanley	Young
			—24

Nays:—None.

The Bill:

S. 154. To amend Section 4500 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Bradford	Jack	Nolen	Teasley
Caffey	Jones	Oliver	Thompson
Edgar	Justice	Smith	Walton
Ellis of Shelby	Moore	Stanley	Young
Fite	Nixon	Stokes	

—19

Nays:—None.

The Bill:

S. 146. To amend Section 7770 and Sec. 7773 of the Code of Alabama of 1923.

Was taken up.

The Committee on Judiciary reported the following substitute for said bill to-wit:

A BILL

To be entitled an act to amend Sections 7770 and 7773 of the Code of Alabama of 1923.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 7770 of the Code of Alabama of 1923 be amended so as to read as follows: 7770, (4055) (1856) (2820) (3088) (2735) (2334) Proceedings on failure to answer. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party or cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a nonsuit or judgment by default or decree pro confesso, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

Section 2. That Section 7773 of the Code of Alabama of 1923 be amended so as to read as follows: 7773 Motion for the enforcement of penalties for failure to answer interrogratories: by whom filed. If the court does not, of its own motion, enforce the penalties for failure to answer interrogatories, as is required by section 7770 (4055) of this Code, the party propounding the interrogatories, on failure of the other party to answer within thirty days, may file his motion with the judge of the circuit court for the enforcement of the penalties provided by statute

after notice for ten days given to the opposite party so in default; and upon the hearing of such motion, the court may enforce the penalties, as is provided for in section 7770 (4055) of the Code.

Which was adopted.

Yeas. 22; Nays, 0.

Yeas:
Messrs.:

Bradford	Jack	Nolen	Teasley	
Brown	James	Oliver	Thompson	
Caffey	Jones	Smith	Walton	
Edgar	Loflin	Stanley	Warren	
Ellis of Shelby	Moore	Stokes	Young	
Fite	Nixon			—22

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Jack	Nolen	Teasley	
Brown	James	Oliver	Thompson	
Caffey	Jones	Smith	Walton	
Edgar	Loflin	Stanley	Warren	
Ellis of Shelby	Moore	Stokes	Young	
Fite	Nixon			—22

Nays:—None.

The Bill:

H. 307. To repeal an Act entitled an Act "To provide for the selection of delegates to any National Party Convention whenever a citizen of the State of Alabama is a candidate for the nomination by any political party as its candidate for election as President of the United States." Approved September 13, 1923.

Was read a third time at legth and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs.:

Bradford	Jack	Nixon	Teasley	
Caffey	James	Nolen	Thompson	
Edgar	Jones	Oliver	Walton	
Ellis of Shelby	Justice	Smith	Warren	
Fite	Loflin	Stanley	Young	
Hall	Moore	Stokes		—23

Nays:—None.

The Bill:

H. 107. To amend Section 6855 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Moore	Stokes
Brown	Jack	Nixon	Teasley
Caffey	James	Nolen	Thompson
Edgar	Jones	Oliver	Warren
Ellis of Shelby	Justice	Smith	Young
Fite	Loflin	Stanley	—23

Nays:—None.

The Bill:

H. 176. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama, to be known as the caustic alkali or acid Act. And prescribe a punishment for the violation thereof.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:
Messrs.:

Bradford	Hall	Moore	Stokes
Brown	Jack	Nixon	Teasley
Caffey	James	Nolen	Thompson
Edgar	Jones	Oliver	Walton
Ellis of Shelby	Justice	Stanley	Young
Fite	Loflin		—22

Nays:—None.

The Bill:

H. 22. Amending Section 8777 of the Code of Alabama as approved August 17th, 1923.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Nixon	Teasley
Brown	Jack	Nolen	Thompson
Caffey	James	Oliver	Walton
Edgar	Jones	Stanley	Warren
Ellis of Shelby	Justice	Stokes	Young
Fite	Moore		—22

Nays:—None.

The Bill:

H. 84. To provide for the punishment of any voter who votes, or attempts to vote more than once in a primary election.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Moore	Stokes
Brown	Jack	Nixon	Thompson
Caffey	James	Nolen	Walton
Ellis of Shelby	Jones	Oliver	Warren
Fite	Loflin	Stanley	Young

—20

Nays:—None.

The Bill:

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof.

Was read a third time at length and passed.

Yeas, 20; Nays, 1.

Yeas:
Messrs:

Bradford	Fite	Loflin	Stokes
Brown	Hall	Nixon	Thompson
Caffey	James	Nolen	Walton
Edgar	Jones	Oliver	Warren
Ellis of Shelby	Justice	Stanley	Young

—20

Nay:—Mr. Moore.—1.

The Bill:

S. 182. To extend and re-arrange the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Loflin	Stokes
Brown	Hall	Nixon	Thompson
Caffey	James	Nolen	Walton
Edgar	Jones	Oliver	Warren
Ellis of Shelby	Justice	Stanley	Young

—20

Nays:—None.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Fite, the further consideration of the bill:

S. 24. To amend Section 1 of an Act entitled "An Act to provide for the election of a solicitor for each judicial circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation," approved September 25, 1915.

Was indefinitely postponed by the Senate.

Also on motion of Mr. Fite, the further consideration of the bill:

S. 169. Allowing boxing, sparring and wrestling matches and exhibitions under the regulations and supervision of the Alabama athletic commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this act, or rules of said commission.

Was indefinitely postponed by the Senate.

MESSAGE FROM LADIES' MEMORIAL ASSOCIATION

Mr. Nixon presented the following message from the Ladies' Memorial Association of Alabama, which was read and ordered spread upon the Journal to-wit:

Montgomery, Ala., June 23rd, 1927.

To the Members of the Legislature of Alabama,

Gentlemen:

The Ladies' Memorial Association of Alabama, in session at 9:30 A. M., today, adopted the following Resolution:

WHEREAS, Our Motto has always been, 'Lord God of Hosts, be with us yet, Lest we forget, lest we forget!' Therefore be it

Resolved: That we respectfully petition the Legislature of Alabama to consider well before depriving our State of the bird, which for three generations, has been accepted throughout Alabama and the United States as our State bird.

During the Confederate War, Alabama troops were named 'Alabama, Yaller Hammer' and were so termed by troops from other states. In addition, in 1900, the 'Yaller Hammer' was tacitly acknowledged and recognized as the State bird by Governor Joseph F. Johnston when he attended the raising of the Alabama and the Kearsarge. On that occasion he was accompanied by his flag bearer, Captain Charles A. Allen, Jr., son of a Confederate veteran and himself a veteran of the Spanish-American war—who bore aloft a staff upon which was mounted a Yellow Hammer resting on its golden wings, and which was accepted even by the Federal Government as an Alabama insignia. This identical bird is still preserved in the Archives of our State.

It would indeed be a sad and grievous blow to the Southern women who devotedly love the Confederacy, and to our Heroic Confederate veterans, who gave their all for the South and who are still rightfully held in high

esteem and great reverence throughout the land—if our present State bird, the Yellow Hammer, is replaced by any other bird.

Respectfully submitted,
Signed,
Mrs. F. H. Elmore, President,
Mrs. C. A. Allen,
Mrs. Chas. McCrary,
Mrs. A. P. Cooper,
Mrs. V. O. Hayes, Secretary.
Committee on Resolutions.

REPORT OF THE JOINT RECESS COMMITTEE OF THE LEGISLATURE, SESSION OF 1927, FOR THE ALABAMA SCHOOL OF TRADES AND INDUSTRIES, GADSDEN, ALABAMA.

This committee has carried out the conditions of the Joint Resolution under which it was appointed. We have visited the school at Gadsden have studied its present needs, and have made some plans for its future.

The State of Alabama and the boys who are not able to go to college especially are indebted to Hon. Watt T. Brown, of Ragland for his vision, his untiring efforts, and his unselfish devotion to the task of establishing in Alabama a school for the training of boys in the trades.

After seeing the school in operation, we felt that in order to be able to plan for the future we should see a first class school and form some idea from observing it. So, we made a visit to the Isaac Delgado Central Trade School in New Orleans, La. Here we saw a school operating under factory conditions and the boys learning the trades just as they would under the apprentice system only much more rapidly and efficiently.

We interviewed business men in Gadsden and Birmingham as to the financial wisdom of the appropriation asked for. Hon. J. D. Moore, president of Moore & Handley Hardware Company and also chairman of the Jefferson County Board of Education came before the committee and said in his opinion the State could not well afford not to make the appropriation. The State is not able at the present time to supply the industries of the State with skilled labor. In the course of his remarks Mr. Moore made several statements that the committee deemed of value worth including in its report. "The central thought in education today is to make better citizens. * * To be a good citizen a person must have something to do There are certain types of boys who learn only by doing. * * * Idleness is the curse of the nation. Keep a boy busy and you make him a good citizen.* * * The Trade School will reach thousands of boys who will never be able to go to college. Without such a chance to learn a trade they are apt to become charges upon the State in their old age." Doctor Wyman, psychiatric for the Veterans Bureau in Birmingham, and who is a son of the late distinguished Doctor Wyman, who for fifty years was connected with the University of Alabama, also appeared before the committee and endorsed the statements of Mr. Moore. He stated further that he had boys come before him who were of low mentality. "Many of these" Dr. Wyman said, "have been taught a trade and are now able to earn a good living." In the opinion of this noted doctor, the Alabama School of Trades and Industries is doing a work no other type of school can do, for it is teaching boys many of whom, are not able to master the literary courses offered elsewhere. After all, the old proverb says,

"Wisdom is knowing what to do.
Skill is knowing how to do it.
Virtue is doing it."

Manufacturers are having either to train their own men or to go outside the State of Alabama to get sufficient skilled laborers. They are entitled to some sort of consideration on the part of the State. If Alabama wants industries, it must train its citizens to perform the skillful operations in the processes of manufacturing. Mr. O. W. Gwin, a contractor in New Orleans who does a $5,000,000.00 annual business, told some members of our committee that it cost him more to train his men on the job to do his work than it would have cost him to have sent them to school.

Other states seeing the value of the Trade School that Alabama had started, have caught the vision and are far excelling us. California is spending $5,000.000.00 for Trade Schools. Tennessee is preparing to spend $3,000,000.00 in establishing a Trade School at Memphis.

This committee made a careful inspection of the building and the grounds of the Alabama School of Trades and Industries. We found the grounds ample for the building of a Trade School that would take care of the needs of the State. There is a plot of ground adjoining that of the State which if bought would add to the symmetry of the location, but we would urge careful consideration before any more money is invested in grounds. It seems a better plan to use the money that would be necessary to buy the other plots for the purpose of buildings or landscape gardening.

With only $60,000.00, the Board of Control has acquired 110 acres of ground, has built a dormitory, has partly equipped a print shop, an electrical shop, woodworking shop, and mechanical drafting room. How so much has been done with the money at hand is a mystery that the committee was not able to solve.

The committee makes the following recommendations:

1. That the school be enlarged to include the following courses: Machinist, Sign Painting, Plumbing, and Fresco Painting.

2. That the full amount asked for by the Board of Control be appropriated and if possible that it be doubled. See Appendix "A" for the request of the Board of Control.

3. That the Alabama School of Trades and Industries be retained under the same system of management and control.

4. That a bill be passed authorizing each county in the State to send one boy each year to the Trade School and to pay his expenses up to and not exceeding $250.00 a year, the same boy being retained until he finishes his course.

After a visit to the Isaac Delgado Central Trade School in New Orleans, where we saw work going on under factory conditions, saw completed projects as nice as can be bought in the open market anywhere, saw the interest of the boys at their work, we are convinced that Alabama should not delay longer to provide some means for giving the underprivileged boys, boys who have not been able to go to high school or to college, boys who are manual-minded and not motor-minded, boys who can do things but are not gifted in telling why they do them a chance to learn a trade whereby they can earn an honest living and not be left to become charges upon the State in their declining years.

Respectfully submitted,
Joint Recess Committee for Alabama
School of Trades and Industries.
C. E. Edgar, Chairman,
C. A. Walton,
J. G. Rankin,
Ira Pegues,
Geo. T. Bryant.

APPENDIX "A"

The Alabama School of Trades and Industries has suggested the sum of $250,000 as a reasonable amount to meet its requirements for buildings and equipment during the next four years.

Such a fund would be expended approximately as follows:

Type Building	Amount	Equipment	Total
Dormitory	$ 80,000	$ 10,000	$ 90,000
Machine Shop	15,000	35,000	50,000
Electric Shop	10,000	10,000	20,000
Woodwork Shop	10,000	2,000	12,000
Brickmason Shop	7,000	-	7,000
Auto Mechanic Shop	-	2,000	2,000
Print Shop	10,000	15,000	25,000
Other Shop Equipment		4,000	4,000
Administration Bldg.	15,000	-	15,000
Heating Plant	15,000	-	15,000
Water & Sewers	5,000	-	5,000
Supt. Home	5,000	-	5,000
Total	$172,000	$ 78,000	$250,000

Summary of above:

Shops	$32,000
Equipment	78,000
General Bldg.	40,000
Dormitory	80,000

In addition to the above there is urgent need for the following:

Type Building	Amount	Equipment	Total
Plumbing	$ 10,000	$ 5,000	$ 15,000
Sheet Metal	7,500	5,000	12,500
Foundry	10,000	15,000	25,000
Painting and Decorating	7,500	3,000	10,500
Total			$ 63,000

The following are also needed, but less urgently:

Recreation Building and Auditorium	$ 50,000
Library	5,000
Textile Plant	25,000
Auto Mechanics Shop	15,000
Additional Printing Equipment	15,000
Total	$110,000

DETAILED PROPOSED EXPENDITURES FOR OPERATION

Salary, Director	$ 4,000
Salary, Printer	2,400
Salary Printer	1,800
Salary Woodworker	3,400
Salary Electrician	2,400
Saalry Machinist	2,400
Salary Farmer	1,800
Salary, Draftsman	2,000

Salary Academic	2,000
Salary Watchmaker	2,400
Salary Auto Mechanic	2,400
Salary Bricklayer	3,000
Salary Secretary	1,500
Salary Matrons	1,000
Total	$31,500

Instructional Supplies	$1,000
Insurance	1,000
General Labor	1,200
Fuel, Power, Light	1,800
Office, Travel, Etc.	1,000
Total	$6,000
Total for operation and maintenance	$37,500

Should the proposed building program be enlarged upon, the operation should be increased in proportion.

COMMITTEE REPORT AND ORDER TO PRINT.

The foregoing report from the Recess Committee on Alabama School of Trades and Industries was read and ordered spread upon the Journal, and on motion of Mr. Edgar 500 copies thereof ordered printed for use of the Senate.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 182. To extend and re-arrange the boundary lines of the corporate limits of the Town of Clanton, Chilton County, Alabama.

S. 185. To abolish the Branch Agricultural Experiment Station located near Uniontown, in Perry County, Alabama, known as the Canebrake Agricultural Experiment Station and to provide for the distribution of the property thereof.

S. 154. To amend Section 4500 of the Code of Alabama of 1923.

S. 146. To amend Section 7770 and 7773 of the Code of Alabama of 1923.

W. B. Nolen,
Chairman.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 25th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 25th legislative day was approved by the Senate.

ADJOURNMENT

At 1 P. M., on motion of Mr. Fite, and pursuant to Resolution heretofore adopted, the Senate adjourned until Tuesday, June 28th, 1927 at 2 P. M.

TWENTY-SIXTH DAY

Tuesday, June 28,th 1927.

The Senate met pursuant to adojurnment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Dr. C. A. Stakely of the city.

ROLL CALL

Present:

Messrs:				
Bradford	Ellis of Shelby	Justice	Stokes	
Brown	Fite	Loflin	Teasley	
Caffey	Hall	Moore	Thompson	
Carlton	Hines	Nixon	Walker	
Cowan	Holmes	Nolen	Walton	
Craft	Jackson	Oliver	Warren	
Edgar	James	Smith	Williams	
Ellis of Dallas	Jones	Stanley		—31

JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

ACCEPTANCE OF INVITATION TO WOMANS COLLEGE

On motion of Mr. Craft, the Senate accepted the invitation of Mr. F. M. Jackson to be the guests of the Woman's College on next Thursday afternoon at 5 o'clock.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James:

S. 320. To regulate and provide for the military and naval forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations, and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this Act; and to fix penalties and punishments for the violation of this act.

Military.

By Mr. James:

S. 321. To authorize the Governor to re-convey to the National Guard units of Jefferson County for armory purposes lots 7 and 8, Block 21, South Smithfield, which said lots were conveyed by Battery D Armory Company to the State of Alabama under deed of date of September 29, 1925.

Military.

By Mr. Nixon:

S. 322. To repeal Section 7539 of the Code of Alabama, 1923.

Judiciary.

By Mr. Fite (With Notice and Proof):

S. 323. To alter and rearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

Municipalities and Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced into the Legislature of Alabama at its next session in June, 1927, in substance as follows:

A BILL

Entitled an Act to alter and rearrange the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

Be it encated by the Legislature of Alabama,

Section 1. That the boundaries of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama, be and the same are hereby

altered, rearranged and fixed so as to include within the corporate limits thereof all that territory lying within the County of Jefferson, in said State, described and bounded as follows, to-wit:

Begin at the northeast corner of the SE¼ of the NW¼ of Section 7, township 18 south, range 2 west, said point being in the present town limits of the Town of Homewood, Jefferson County, Alabama; run thence west along the north boundary of the Town of Homewood, which is also the north line of the south ½ of the NW¼ of said section 7 to the northwest corner of the SW¼ of the NW¼ of said section 7; run thence in a southwesterly direction along a straight line to the northwest corner of the SW¼ of the SW¼ of the SW¼ of section 12, township 18 south, range 3 west; run thence south along the west line of section 12 and the west line of section 13, township 18 south, range 3 west, to the south side of the Oxmoor and Irondale Road, thence in a southwesterly direction along the south side of the Oxmoor and Irondale Road to the northeastern side of the Columbiana Road, thence in a generally southeastern direction along the northeastern side of the said Columbiana road to an intersection with the west boundary of section 24, township 18 south, range 3 west, thence south along said west boundary to the southwest corner of the NW¼ of the SW¼ of said section 24, thence in a northeasterly direction in a straight line to the northeast corner of the NW¼ of the NW¼ of section 19, township 18 south, range 2 west, thence east along the north boundary of said section 19 to the northeast corner of the NW¼ of said section 19, thence north along the east boundary of the SW¼ of section 18, township 18 south, range 2 west, to the south bank of Shades Creek, thence in a northeasterly direction along the south bank of Shades Creek with its meanderings to the east line of section 18, township 18 south, range 2 west, thence north along the east line of said section 18; to the northeast corner of the SE¼ of the NE¼ of said section 18; run thence west along the north line of the SE¼ of the NE¼ of said section 18 to the northwest corner of said SE¼ of the NE¼ of said section 18, run thence north along the east line of the NW¼ of the NE¼ of said section 18 to the northeast corner thereof; run thence west along the north line of the NW¼ of the NE¼ of section 18, township 18 south, range 2 west to the northwest corner of the NW¼ of the NE¼ of said section 18, which said point is the southeast corner of the SW¼ of section 7, township 18 south, range 2 west, and being on the present boundary line of the Town of Homewood, Jefferson County, Alabama; run thence north along the east boundary of the town of Homewood, which is also the east line of the SW¼ and the east line of the SE¼ of the NW¼ of section 7, township 18 south, range 2 west, to the northeast corner of the SE¼ of the NW¼ of said section 7, to the point of beginning.

Section 2. That the boundaries set out in section 1 of this Act be and the same are hereby established as the corporate limits of the Town of Homewood, a municipal corporation, in Jefferson County, Alabama.

Section 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall go into effect on the aprpoval of the Governor.

Chas. E. Rice,
Mayor Town of Homewood.

STATE OF ALABAMA,
JeJfferson County.

Before me, Helen H. Goodman. a Notary Public in and for said County in said State, personally appeared Gussie A. Cox, who being by me first duly sworn, deposes and says:

She is Circulation Manager of Alabama Christian Advocate publishing the Alabama Christian Advocate, a newspaper published in Jefferson County, Alabama, and that the notice, a copy of which is hereto attached, that a bill

to be entitled an Act to Alter, to Rearrange the Boundaries of the Town of Homewood, Jefferson County, Alabama, was published in said Alabama Christian Advocate once a week for four (4) consecutive weeks, on, to-wit: May 26th, 1927, and June 2nd, 9th and 16th, 1927, and that said Alabama Christian Advocate newspaper is of general circulation in said Jefferson County, Alabama.

Gussie A. Cox,

Sworn to and subscribed before me, this 27th day of June, 1927.

(Seal) Helen H. Goodman.
Notary Public.

By Mr. Fite:

S. 324. To fix and regulate the compensation of the Registers of the Circuit Court in Counties in the State having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the payment of such compensation.

Revision of Laws.

By Mr. Fite:

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the fireman's pension and relief fund in conection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees, to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under existing laws during the terms for which they have been elected, same to be trustees under this Act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said board of trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies

doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective firemen's pension and relief funds as created and provided in this Act the respective funds and moneys and properties constituting firemen's pension and relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

By Mr. Fite:

S. 326. To Amend Section 8832 of the Code of Alabama.

Revision of Laws.

By Mr. Walton:

S. 327. Requiring Corporations, Companies, Associations, Partnerships and individuals engaged in manufacturing, and employing public labor and every public service corporation doing business in this State to pay employees every two weeks, or twice each calendar month, and to provide for a penalty for a violation thereof.

Mines and Manufacturing.

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school

purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

Education.

By Mr. Ellis of Shelby (with notice and proof):

S. 329. To authorize the Town Council of the Town of Vincent, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

Education.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply to the Legislature of Alabama which meets in the City of Montgomery on the 7th day of June, 1927, for the passage of an act authorizing the Town Council of the Town of Vincent, Alabama, to abolish its Board of Education and place the government and control of the Public Schools of said town under the control of the County Board of Education and under State control.

The Bill to be introduced for the above named purpose will be substantially as follows:

AN ACT

To authorize the Town Council of the Town of Vincent, Alabama, to abolish its Board of Education and place the government and control of the Public Schools of said Town under the control of the County Board of Education and under State control.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the Town of Vincent, Alabama, by resolution duly adopted by the Town Council of said Town, is hereby authorized and empowered to abolish the Board of Education of said Town and place the government and control of the Public Schools of said Town under the control of the County Board of Education and under State control.

I hereby give notice that the above bill will be introduced at the next session of the Legislature referred to, and its enactment into law will be sought.

L. H. Ellis.

STATE OF ALABAMA,
Shelby County.

Before me, L. B. Riddle, Judge of Probate in and for Shelby County, Alabama, personally appeared Luther Fowler, who is known to me and who, being by me first duly sworn, deposes and says, on oath, that he is Editor and Publisher of The Shelby County Reporter, a weekly newspaper published at Columbiana, in Shelby County, Alabama, and that the publication of a certain notice of the intention to apply to the Legislature of Alabama, which met in the City of Montgomery on the 7th day of June, 1927, for the passage of an Act, authorizing the Town Council of the town of Vincent, Alabama, to abolish its Board of Education and place

the government and control of the Public Schools of said Town under control of the County Board of Education, and under State control, a true copy of which is hereto affixed, was had and made in said newspaper by the inclusion and publication in said paper of said attached notice for four consecutive weeks, to-wit: In the issues thereof dated as follows: May 26, 1927, June 2, 1927, June 9, 1927 and June 16, 1927.

Luther Fowler,
Publisher.

Sworn and subscribed to before me this the 28th day of June, 1927.

L. B. Riddle,
Judge of Probate.

By Mr. Stokes (By request):

S. 330. To repeal Section 2364 of the Code of Alabama, 1923.

Municipalities and Municipal Organizations.

By Mr. Stokes:

S. 331. To amend Section 2341 of the Code of Alabama, 1923.

Municipalities and Municipal Organizations.

By Mr. Fite:

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper and unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Ringer:

H. 343. To provide for the establishment of a Demonstration Farm at or near each of the State Secondary Agricultural Schools of Alabama, to provide for the necessary physical plants and equipment for such farms, to authorize and empower county boards of revenue or county commissioners or other bodies having similar jurisdiction in each county to appropriate funds for aiding in the purchase of land and equipment for said farms, to make appropriations for the maintenance of said farms and provide for their management and control.

By Mr. Sanders of Pike:

H. 387. For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishment and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other

similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the four main large soil types of the State as represented in the Tennessee Valley, the Black Belt, the Wiregrass, and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county boards of revenue or county commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committee as follows:

H. B.'s 343 and 387 to the Committee on Finance and Taxation.

BILLS TEMPORARILY POSTPONED

On motion of Mr. Young, the further consideration of the bill:

H. 220. To promote the public health, convenience and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands of the State of Alabama; to provide for the establishment of levee or drainage districts and sub-districts thereof, for the purpose of enlarging or changing any natural watercourses and for digging ditches or canals for securing better drainage or providing better outlets for drainage; to provide for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; to define offenses against drainage districts and providing penalties therefor; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for the assessment and col-

lection of the costs and expenses of installing drainage systems and issuing and selling bonds therefor, and for the care and maintenance of such improvements when constructed, not in excess of the increased value of such property by reason of the special benefits derived from such improvements.

Was postponed until the Thirtieth Legislative Day.

On motion of Mr. Williams, the further consideration of

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

Was postponed until the next Legislative Day.

On motion of Mr. Fite, the further consideration of the Bill:

S. 168. To provide for and establish in each and all counties of this State which now have a population of two hundred thousand people, or more, according to the last Federal census, or which shall hereafter have such population, or more, according to any such census hereafter taken, a court to be designated the Juvenile and Domestic Relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the exercise of its jurisdiction and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said court to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and all wards and probationers of such Domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations courts and Courts of Domestic Relations in such counties.

Was postponed until the Twenty-eighth Legislative Day.

RESOLUTION

Mr. Teasley offered the following Joint Resolution:

S. J. R. 55. Be it resolved by the Senate, the House concurring that when the two houses adourn today they will adjourn until Friday July 1, 1927.

Which was adopted.

BILLS ON THIRD READING

The Bill:

S. 285. To amend Section 1 of an Act, entitled "An Act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

Was read a third time at length and passed.

Yeas, 29; Nays, 0.

Yeas:

Messrs:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			

—29

Nays:—None.

The Bill:

S. 284. To amend Section 6 of an Act entitled "An Act to establish a board of revenue for Lowndes County, and to define the powers and duties of said board of revenue," approved March 7, 1876.

Was read a third time at length and passed.

Yeas, 29; Nays, 0.

Yeas:

Messrs:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			

—29

Nays:—None.

The Bill:

S. 37. To adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923 and incorporated in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

Was taken up.

The following substitute offered by the Standing Committee on Judiciary to-wit:

A BILL

To be entitled an act to adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923 and incorporated in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

Be it Enacted by the Legislature of Alabama:

That all General Acts passed by the Legislature of Alabama in 1923, on and after the 10th day of July, 1923, which are incorporated in the four printed volumes known as the Political, Criminal and Civil Code, containing sections 1 to 10640 both inclusive, and published by authority of law in 1924 as the Code of Alabama, be, and the same hereby are, adopted as a part of the said Code of Alabama, from and after the 17th day of August, 1924, to the end that all General Acts incorporated in said four printed volumes enacted into law on and after the 10th day of July, 1923, shall be, and shall be given effect, as a part of the Code of Alabama from and after the 17th day of August, 1924, Provided, however, that all sections of said Code which have been repealed and all codified sections of said Acts which have been repealed are not hereby re-enacted or validated, and provided further that all sections of said Code and all sections of said Acts which have been amended shall not be affected by this Act, and the same shall be and remain the law as so amended as a part of said Code.

Was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Thompson
Caffey	Hines	Moore	Walker
Carlton	Jack	Nolen	Walton
Cowan	Jackson	Stanley	Warren
Craft	James	Stokes	Williams
Ellis of Dallas	Jones	Teasley	Young

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bradford	Edgar	Jack	Moore
Caffey	Ellis of Dallas	Jackson	Nolen
Carlton	Fite	James	Smith
Cowan	Hall	Jones	Stanley
Craft	Hines	Justice	Stokes

Teasley	Walker	Warren	Young	
Thompson	Walton	Williams		—27

Nays:—None.

The Bill:

S. 143. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:
Messrs:

Bradford	Hall	Justice	Stokes	
Caffey	Hines	Moore	Thompson	
Carlton	Holmes	Nixon	Walker	
Craft	Jack	Nolen	Walton	
Edgar	Jackson	Smith	Warrer	
Ellis of Dallas	James	Stanley	Williams	
Fite				—25

Nays:—None.

The Bill:

S. 254. To provide for the election of a county superintendent of education for Cherokee County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties, and to provide for the election of his successor in office.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:
Messrs.:

Bradford	Fite	Justice	Stanley	
Caffey	Hall	Loflin	Stokes	
Carlton	Hines	Moore	Teasley	
Cowan	Holmes	Nixon	Thompson	
Craft	Jackson	Nolen	Walton	
Edgar	James	Oliver	Warren	
Ellis of Dallas	Jones	Smith	Williams	
Ellis of Shelby				—29.

Nays:—None.

The Bill:

S. 291. To provide for the payment of the fees of State witnesses in criminal cases in Dale County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:
Messrs.:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			

—29

Nays:—None.

The Bill:

S. 292. To provide for the relief of L. W. Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A. McKay, W. C. Barefiield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitsgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Weed, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitsgerald, R. L. Andrews, A. L. Howell, Ab DeLoney, Parker & Flowers, P. A. Clark, W. H. DeLoney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell, C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Malcomb Byrd, M. W. Redd, Welsey Gillian, J. C. Spears Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson, Ned Byrd, W. A. Bloodworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. DeLoney, Henry DeLoney, Melvin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler, John Woodall, Ewell Byrd, Seaborn Bowman, Barney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Bryter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McDonald, Will McSwean, Bud Snell, M. C. Williford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nicholson, Oscar DeLoney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jos. F. Waters, A. V.

Curenton, L. P. Curenton, E. L. Stokes, J. H. Hughes, A. C. Hughes, Dody Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sillivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Wigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thom. Watford, Lige Cotton, Bud Wilson, Lester Thompson J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sulivon, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, L. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker, Lonie Baker, Oscar Brooks, Wesley Shiran, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, Arnie Sauls, M. F. Sauls, J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, D. W. Jacobs, Huey Batchelor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin....., S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parks, C. A. Davis, A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Halford, B. Q., Albert Whitlock, Berry Simmons, Will Campbell, Giff Bradley, Foreman Lucus, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. A. Wesson, Geo. Overstret, W. H. Senn, A. C. Hollis, J. S. Brooks, Henry Condry, A. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugerbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. C. Chapman, W. M. Goodson, Henry Wilson, Joe Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dasinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum. R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis I. A. Snell,

J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stuckey, Henry Horn, D. M. Woods, C. W. Roberts, R. W. Sanders D. C. Peeples, Waymon Tullis, A. F. Davis, Monk Underwood, M. F. Wemms, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Reynolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gimore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Obry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston, L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D. P. Mixsom, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Barrow, Mixsom Searcy, R. J. Davis, R. T. Stucky, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards, Graey Gassett, Pate Gassett, Charlie Searcy, Cullen Whigham, Lewe Powell, Tom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Parramore, G. A. Tyler, G. L. Tyler, J. B. Philips, Fate Wilson, Nance Wilson, J. C. Keener, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen, H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jesse Baker, Johnie Truett, William Crawford, John Ingram, Jewe Sumers, Ad Moore, J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Early B. Kirkland, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. J. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:

Messrs.:

Bradford	Cowan	Ellis of Dallas	Hall
Caffey	Craft	Ellis of Shelby	Hines
Carlton	Edgar	Fite	Holmes

Jackson	Moore	Smith	Thompson
James	Nixon	Stanley	Walton
Jones	Nolen	Stokes	Warren
Justice	Oliver	Teasley	Williams
Loflin			—29

Nays:—None.

The Bill:

S. 166. To allow the sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			—29

Nays:—None.

The Bill:

S. 197. To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

Was read a third time at legnth and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			—29

Nays:—None.

The Bill:

H. 129. To provide for the election of a county superintendent of education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

Was read a third time at length and passed.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Caffey	Hall	Loflin	Stokes
Carlton	Hines	Moore	Teasley
Cowan	Holmes	Nixon	Thompson
Craft	Jackson	Nolen	Walton
Edgar	James	Oliver	Warren
Ellis of Dallas	Jones	Smith	Williams
Ellis of Shelby			

—29

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 55. Relative to the adjournment of the two Houses until Friday, July 1, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RESOLUTION

Mr. Craft offered the following Joint Resolution:

By Mr. Craft:

S. J. R. 56. Be it Resolved by the Senate, the House concurring, that:

Whereas, the Senate has now pending before it Senate Bill No. 312, regulating and providing the method by and the manner in which any county of the class in said bill named may increase its indebtedness for the purposes therein stated, and issue bonds and levy and collect additional taxes; and

Whereas, Said bill provides for calling elections to authorize the issuance of such bonds and the levying of such taxes, which would involve considerable waste of public money in the event the proposed act were held unconstitutional after its passage;

Now, Therefore, be it resolved that the Supreme Court of Alabama is hereby requested by the Legislature of Alabama to give the Legislature an advisory opinion with respect to the constitutionality of the said bill especially in the following particulars:

1. Are the provisions contained in Sections 3 and 21 of the Bill, authorizing the governing body of such county to annually levy and collect an additional tax sufficient to pay principal and interest on the bonds, provided that the total amount of additional taxes levied in any one year under the authority of this act does not exceed, in the aggregate, one -half of one per centum of the assessed value of the property, violative of the amendment to the Constitution of Alabama found in the Acts of Alabama of 1923, page 594, or of any other provision of the Constitution?

2. Is it within the power of the Legislature to define "concrete", and is the definition of "concrete" in Section 6 of the bill violative of the provisions of the Amendment of 1923, above referred to, or any other provision of the Constitution of Alabama?

3. Is the definition or characteristic of "improvement" in Section 8 of the bill violative of any provision of the Constitution?

4. Is the provision in Section 11 of the bill authorizing the calling of an election to submit to the voters at one election the question of the issuance of bonds and the levying of tax, with respect to two or more improvements violative of any provision of the Constitution?

5. Is the provision of Section 11, providing that separate ballots shall be prepared in respect of each improvement or one ballot may be so arranged as to enable the voters to vote separately in respect of each proposed improvement (when two or more are proposed) violative of any provision of the Constitution?

6. Does the form of the official ballot described in Section 13 violate any provision of the Constitution?

This form of ballot is adapted from the form approved by the Supreme Court in the Case of Realty Investment Company vs. State, 181 Alabama, 184, 61 So., 248.

7. Does the bill cover more than one subject?

8. Is the bill a local bill?

9. If the Supreme Court decides that this bill is a local bill, would a local bill applicable only to Mobile County, duly advertised, and containing in other respects the same provisions as contained in this Act, be violative of Subdivisions 15 and 17 of Section 104 of the Constitution?

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 22. Amending Section 8777 of the Code of Alabama as approved August 17th, 1923.

Also:

H. 84. To provide for the punishment for any voter who votes, or attempts to vote more than once in a primary election.

Also:

H. 107. To amend Section 6855 of the Code of Alabama, 1923.

Also:

H. 176. To safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalis, and other substances in the State of Alabama, to be known as the caustic alkali or acid Act. And prescribe a punishment for the violation thereof.

Also:

H. 307. To repeal an Act entitled An Act "To provide for the selection of delegates to any national party convention whenever a citizen of the State of Alabama is a candidate for the nomination by any political party as its candidate for election as President of the United States," approved September 13, 1923.

Also:

H. 364. Allowing boxing, sparring and wrestling matches and exhibitions under the regulation and supervision of the Alabama Athletic Commission herein established, and relating to the powers, duties, compensation and authority of said Commission, and prescribing penalties for the violation of the provisions of this act, or rules of said Commission.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immedeiately after their title had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

ADVERSE BILLS INDEFINITELY POSTPONED

On motion of Mr. Fite, the following bills on the adverse calendar were indefinitely postponed to-wit:

S. 153. To regulate the practice and procedure in and before the Tenth Division of the Circuit Courts which now have or may hereafter have ten or more divisions of such Circuit Courts; to confer jurisdiction upon the Tenth Division of such Circuit Courts of and over cases appealed from Recorder's Courts or other municipal courts corresponding thereto; to authorize and empower the Judge of the Tenth Division of such Circuit Courts to make and prescribe rules and regulations for the docketing and setting for trial, hearing, handling, orders, or other disposition of such appealed cases in such Circuit Courts; and to authorize and empower the Judge of the Tenth Division of such Circuit Courts to order and direct the setting and docketing of cases for trial, hearing, handling orders or other disposition in and before the Tenth Division of such Circuit Courts.

Also:

S. 144. To amend Section 7409 of the Code of Alabama of 1923.

Also:

S. 139. To repeal Sections 8636 and 8637 of the Code of 1923.

Also:

S. 138. To provide an additional method of describing subdivisions of sections of land in Alabama.

Also:

S. 124. To amend Section 6037 of the Code of Alabama of 1923.

Also:

S. 235. To amend Section 5570 of the Code of Alabama, 1923.

Also:

S. 148. To further provide for the compensation of official court reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 284. To amend Section 6 of an Act entitled "An Act to establish a board of revenue for Lowndes County, and to define the powers and duties of said board of revenue," approved March 7, 1876.

Also:

S. 143. To create a fund to be used by the sheriff of each county in the State of Alabama having a population of 200,000 or more, according to the last or any subseqquent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

Also:

S. 285. To amend Section 1 of an Act, entitled "An Act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district," approved July 29th, 1907.

Also:

S. 37. To adopt as a part of the Code of Alabama all General Acts passed in 1923 on and after July 10, 1923 and incorporated in the four printed volumes published in 1924 as the Code of Alabama, as of August 17th, 1924.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the senate amendment to the Bill,

H. 138. To create a State Service Commissioner, and to fix the duties and compensation of such Commissioner, and to make an appropriation to carry out the purpose of this Act.

And the House has concurred in and adopted the Senate amendment to the Bill:

H. 340. To authorize and provide for the issuance and sale of State bonds for the purpose of constructing, improving, repairing and maintaining Public Roads, Highways and Bridges as authorized by the Constitutional Amendment known as Article XXA of the Constitution of Alabama.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 56. Relative to the Legislature requesting the Supreme Court for an advisory opinion as to the constitutionality of Senate Bill 312.

And returns same herewith to the Senate.

J. H. Stewart.
Clerk.

REPORT OF COMMITTEE ON REVISION OF JJOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 26th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 26th legislative day was approved by the Senate.

ADJJOURNMENT

At 3:10 P. M., on motion of Mr. James and pursuant to resolution heretofore adopted the Senate adjourned until Friday morning, July 1, 1927, at 10 o'clock.

TWENTY-SEVENTH DAY.

Friday, July 1st, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

The session was opened with prayer by Rev. Dr. C. O. Thompson, Member of the House of Representatives.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	Jones	Smith
Bradford	Ellis of Shelby	Justice	Stanley
Brown	Fite	Loflin	Stokes
Caffey	Hall	Mitchell	Thompson
Carlton	Hines	Moore	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Young
Edgar	James	Oliver	

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JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Craft, leave of absence was granted Mr. Teasley for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Walton:

S. 333. To amend Section 7887 of the 1923 Code of Alabama (Relating to exemption of wages of employees).

Revision of Laws.

By Mr. Young (With N. & P.):

S. 334. To make it the duty of the clerk of the circuit court of Lamar County, Alabama, as ex-officio clerk of the county court, to record the proceedings and write up the minutes of the county court and to provide for compensation of the same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, that application will be made to the present legislature of Alabama, to pass a local law for Lamar County, Alabama, in substance as follows: To require all warrants, Bonds, and committments where defendants are held or bound over to await the action of the grand jury, in Lamar County, Alabama, to be returned to and filed with the Clerk of the Circuit Court of said County, to be kept and filed and furnished to the Solicitor or foreman of the Grand Jury on demand, and providing that said clerk shal make a record of such papers, and further providing that clerk of the Circuit Court of Lamar County, Alabama, as Ex-officio Clerk of the County Court, of said County shall also make a record of all bonds and commitments and warrants in all cases hereafter filed in said county court, and providing that such records, or certified copies of the same shall have the same legal effect as the original when the original or any part of same are lost, and providing that the costs for making or keeping such records shall be taxed and paid in the same manner as such costs are taxed and paid in similar cases in the circuit court of said County, and to further provide that the clerk of said court, shall be allowed $2.00 per day for attending upon and keeping the minutes of said county court.

AFFIDAVIT

THE STATE OF ALABAMA,
Lamar County.

Personally appeared before me, E. T. Hill, Clerk of the Circuit Court, in and for said County and State, Kirby T. Mills, who, being by me first

duly sworn, deposes and says that he is the publisher of the Lamar Democrat, a newspaper published at Vernon, Alabama, and that the notice, a true copy of which is hereto attached, was published in said paper for four consecutive weeks, commencing on the 19th day of Feb. 1927.

Kirby T. Mills,
Publisher of the Lamar Democrat.

Sworn to and subscribed before me this the 13th day of June, 1927.

E. T. Hill,
(Seal) Clerk of the Circuit Court, Lamar County, Alabama.

By Mr. Warren (With N. & P.):

S. 335. To reduce the boundaries of the corporate limits of the city of Tuscaloosa, Alabama.

Municipalities & Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the adjourned Session of the 1927 Session of the Legislature of Alabama, which reconvenes on June 7th, 1927, in substance as follows:

A Bill to be entitled an act to reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

Be it enacted by the Legislature of Alabama:

Section One. That all of that tract of land included within the following boundaries, viz: Beginning at a point on the west bank of the Warrior River where the center line north and south through Section Twenty-One (21) Township 21 South, Range 10 West, intersects the low water mark on said west bank of said river, and running thence south along said center line through said section 21, and along the center line through Section 28, to the south line of said Section 28, thence east along the south line of said Section 28, and Section 27, to the intersection of the same with the extension southwardly of the west line of Cherry Street, as said street is shown on the plat of the survey of the Tuscaloosa Development Company, thence eastwardly along the said west or north line of said Cherry Street and the extension southwardly of the same to an intersection with the said line of said Section Twenty-Seven (27) thence east along the south line of said Section 27 to the center of said Section 27, thence north along the center line of said Section 27, to the north margin of the road which lies on the south side of the F. E. Shide Survey, thence eastwardly along the north margin of said road to the southeast corner of said F. E. Shide Survey, thence northwardly along the east side of said F. E. Shide Survey to the south margin of South Eighth Avenue extended westwardly, as said South Eighth Avenue is shown on the plat of the Tuscaloosa Coal Iron and Land Company Survey, thence eastwardly along the South margin of said South Eighth Avenue and the extension westwardly of the same to the west line of East Second Avenue, according to said Tuscaloosa, Coal Iron and Land Company Survey, thence southwardly along said west line of said East Second Avenue and the extension southwardly of the same to its intersection with the south line of Section 26, thence eastwardly along the south line of said section 26, to the southeast corner of the southwest quarter of the southwest quarter of said Section 26, thence north parallel with the west line of Section 26, to the north margin of the Hargrove Road, thence eastwardly along north margin of the Hargrove Road to the intersection of the same with the center line north and south through Section 25, Township Twenty-One South, Range Ten West, thence north along said center line

through Section 25 and through Section 24, to the south margin of the right of way of the Alabama Great Southern Railway thence eastwardly along said south margin of said right of way to a point two thousand one hundred fifty (2150) feet eastwardly from the west line of Section 19, Township Twenty-One South, Range 9 West, thence north to the south margin of the Huntsville Road, thence westwardly along said south margin of said Huntsville Road to a point Four Hundred (400) feet westwardly from the west line of Section 24, Township 21 South, Range Ten West, thence north parallel with the said west line of said Section 24, to an intersection with the South margin of the right of way of the main line of the Louisville and Nashville Railroad, thence eastwardly along the said south margin of said right of way to the intersection of the same with the east line of the northwest quarter of the southwest quarter of Section 18, Township Twenty-One South, Range Nine West, thence north to the low water line on the west bank of the Warrior River, thence southwardly along said low water line on said west bank to the point of beginning; shall be and shall constitute the City of Tuscaloosa, and shall be designated and known by the name of the City of Tuscaloosa.

Section Two. Be it further enacted, that all laws, general and special, in conflict with this act are hereby repealed. Provided, however, that nothing herein contained shall affect the rights, privileges and immunities heretofore granted by the laws of this State to the University of Alabama and to the Alabama Insane Hospital.

STATE OF ALABAMA,
Tuscaloosa County.

Before me, the undersigned Robert H. Allright a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of June 5th, 1927, and the following three publications in the issues of said newspaper were June 12, 20, 26, respectively.

Aaron Miller.

Sworn to and subscribed before me this 28th day of June, 1927.

(Seal) Robert H. Allright,
Notary Public.

By Mr. Warren (With N. & P.):

S. 336. To authorize and empower the city of Tuscaloosa Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said City and State.

Municipalities and Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the adjourned Session of the 1927 session of the Legislature of Alabama, which reconvenes on June 7th, 1927, in substance as follows:

A Bill to be entitled an act to authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or

private use certain property owned by it situated on the Warrior River in said City and State.

Be it enacted by the Legislature of Alabama:

Section One. That the Board of City Commissioners of the City of Tuscaloosa, Alabama, be and they are hereby authorized and empowered to sell and convey for public or private purposes and public or private use all or any part of the following described property lying and being in Township Twenty-one (21) South Range Nine (9) West in Tuscaloosa County, Alabama, namely:

Begininng at a point where the boundary line between the property of the Central Iron and Coal Company and the Alabama Insane Hospitals intersects the low water line on the east bank of the Black Warrior River and running thence eastwardly along said boundary line to its intersection with the west line of the public road from Holt to Alberta City; thence following the said west line of said public road southwardly to a point on the west side of said road where the said public road crosses Duck Pond branch at which crossing there is now a concrete culvert, the said Duck Pond branch being the branch which lies immediately North of the Hospital farm buildings as now located, and which empties into the Black Warrior river near the starting point of this description; thence South thirty-five (35) degrees fifty (50) minutes west a distance of Six Hundred fifty-nine and 9-10 (659.9) feet to a point on the west side of the private road leading from the Hospital farm buildings to the main building of the Bryce Hospital of the Alabama Insane Hospitals, thence following the west side of said private road which is more particularly described by the following courses and distances; South eighty-two (82) degrees eleven (11) minutes West a distance of one hundred seventy-nine and 25-100 (179.25) feet to a point; thence South sixty-two (62) degrees thirty-eight (38) minutes west a distance of two hundred fifty-seven and 16-100 (257.16) feet to a point; thence South fifty-one (51) degrees forty-two (42) minutes West a distance of eleven hundred and forty-one (1141) feet to a point; thence South forty (40) degrees thirty one (31) minutes West a distance of five hundred one and 4-10 (501.4) feet to a point; thence South twenty-six (26) degrees thirty-five (35) minutes West a distance of seven hundred and twelve and 4-10 (712.4) feet to a point; thence South thirty-two (32) degrees twelve (12) minutes West a distance of one hundred sixty-one and 3-10 (161.3) feet to a point; thence south twenty-two (22) degrees twenty-six (26) minutes West a distance of two hundred and seventy and 9-10 (270.9) feet, to a point; thence South twenty-nine (29) degrees fifty-one (51) minutes West a distance of one hundred and sixty-three and 1-10 (163.1) feet to a point; thence South thirty-seven (37) degrees three (3) minutes West a distance of ninety-five and 6-10 (95.6) feet to a point; thence South fifty-one (51) degrees eight (8) minutes West a distance of one hundred seven and 9-10 (107.9) feet to a point; thence South sixty-seven (67) degrees eighteen (18) minutes West a distance of two hundred eighty-three and 6-10 (283.6) feet to a point; thence South fifty-six (56) degrees forty (40) minutes West a distance of five hundred forty-two and 3-10 (542.3) feet to a point; thence South thirty-seven (37) degrees thirty-six (36) minutes West a distance of one hundred and fifty-six (156) feet to a point; thence South twenty-four (24) degrees forty-six (46) minutes West a distance of two hundred and fifty-two (252) feet to a point; thence South thirty-three (33) degrees fifty-two)52) minutes West a distance of three hundred fourteen and 3-10 (314.3) feet to a point; thence South eight (8) degrees twenty-two (22) minutes West a distance of three hundred fifty-six and 8-10 (356.8) feet to a point; thence South ten (10) degrees six (6) minutes West a distance of one hundred forty-nine and 3-10 (149.3) feet to a point; thence South thirty-two (32) degrees forty-nine (49) minutes West a distance of

one hundred eighty and 1-10 (180.1) feet to a point; thence South seventy-eight (78) degrees thirty-eight (38) minutes West a distance of one hundred one and 5-10 (101.5) feet to a point; thence North eighty-two (82) degrees twenty-five (25) minutes West a distance of one hundred and eighty-five and 6-10 (185.6) feet to a point where the said west side of said private road intersects the west line of the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) of Section 18; thence along the said west line of said Northeast Quarter of the Southwest Quarter (NE¼ of SW¼) of said Section Eighteen (18) and the west line of the East Half of the Northwest Quarter (E½ of NW¼) of said Section Eighteen (18) northwardly to the low water line on the east bank of the Black Warrior river, thence following the said low water line of said river Northeastwardly to the point of beginning; excepting from the above described tract of land the rights of way of the Tuscaloosa Railway and Utilities Company and of the Louisville and Nashville Railroad Company. All of the above described property is situated in Section Seven (7), Eight and Eighteen (18), Township Twenty-one (21) South, Range Nine (9) West.

Also a right-of-way for a road, railroad or electric railway 100 feet in width from the Eastern boundary of the above described tracts of land to the Warrior Southern Railroad over the Northeast portion of the remaining lands of the Alabaam Insane Hospitals provided, however, that such right-of-way shall not be located nearer than 100 feet to any of the buildings as now located of the said Alabama Insane Hospitals.

Section Two. All laws or parts of laws in conflict herewith are hereby repealed.

STATE OF ALABAMA,
Tuscaloosa County.

Before me, the undersigned Robert H. Allright, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the legislature for the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutivve weeks, the first publication having been made in the issue of said newspaper of June 5th, 1927, and the following three publications in the issues of said newspaper were June 12, 20, 26, respectively.

Aaron Miller.

Sworn to and subscribed before me this 28th day of June, 1927.

Robert H. Allright,
Notary Public.

(Seal)

REPORTS OF COMMITTEES

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Beebe (With N. & P.) (With Amendment):

H. 326. To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said County in lieu of the Court of County Commissioners to

provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the County of Baldwin into four Board of Revenue Districts; to provide a clerk and assistant clerk for the said Board of Revenue and to fix their duties and compensation and to provide for a County Engineer as Superintendent of Roads and to repeal all laws in conflict with the provisions of this act.

By Mr. Ellis of Dallas (Notice and Proof):

S. 276. To vacate and close as a public highway or street that portion of Lee Street in the City of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama Avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama Avenue with the east margin of Lee Street and running thence westwardly along the north margin of Alabama Avenue thirty-five feet and extending northwardly with that uniform width to where said Lee Street strikes the section line: (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee Street as now or formerly laid out.

By Mr. Mitchell (With N. & P.):

S. 281. To provide that in Lauderdale County, Alabama, the assessments lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Mr. Hall, Chairman of the Standing Committee on Agriculture reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Young (With Amendment):

S. 165. To regulate the sale and exchange of gasoline, benzine, naphtha, and other liquid motor fuels and provide for a legal standard and for inspection of such products.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stokes (With Substitute):

S. 331. To amend Section 2341 of the Code of Alabama, 1923.

By Mr. Stokes:

S. 330. To repeal Section 2364 of the Code of Alabama, 1923.

Mr. Loflin, Chairman of the Standing Committee on County and County Boundaries reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cowan:

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

Mr. Thompson, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 180. To repeal Sections 388 and 394 of the Code of Alabama, 1923.

By Mr. Fite (With Substitute):

S. 179. To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

Mr. Bonner, Chairman of the Standing Committee on Temperance reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bonner.

S. 275. To prohibit the selling or buying of malt syrup or malt extract, except upon compliance with the terms and condition set out in this Act; to require every seller of malt syrup or malt extract to file with the Probate Judge of the County where each sale is made the affidavit to be made by purchaser, all such affidavits to be filed once each three months, and to be kept for public inspection for one year after filing; to provide that the making of any false statement in such required affidavits shall constitute perjury; and to fix penalties for violations of this Act.

By Mr. Williams:

S. 219. To amend Section 4622 of the Code of Alabama, 1923.

By Mr. Williams:

S. 204. To prohibit the having in possession or transporting five gallons or more of any of the liquors or beverages the sale

or possession or transportation of which is now prohibited by law in Alabama, and to fix penalty therefor.
By Mr. Williams:

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Tompkins (With N. & P.):

H. 362. To repeal an Act entitled an Act to provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this act, approved February 21, 1927.

Mr. Bonner, Acting Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Carlton (With N. & P.):

S. 192. To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.
By Mr. Vickers (With N. & P.):

H. 376. To provide for the appointment of deputy clerks for the Inferior Criminal Court of Mobile County; to prescribe the duties and fix the compensation and salary of such deputy clerks.
By Mr. Quillin (With N. & P.):

H. 358. To fix and regulate the fees of State witnesses in criminal cases in the Law & Equity Court and Circuit Court of Franklin County, Alabama, and before the Grand Jury of said County, and to provide for the payment thereof, and to provide for the collection of witness fees from defendants convicted and for the disposition of the same.
By Mr. Bartlett (With N. & P.):

H. 356. To establish a county court for Dekalb County Alabama; to define its jurisdiction and powers; to provide for its

officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County Alabama.

By Mr. Baldwin (With N. & P.):

H. 350. To provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County otherwise than by indictment by the grand jury.

By Mr. Rogers (Elmore) (With N. & P.):

H. 320. To fix the salary of the Deputy Solicitor of Elmore County, Alabama.

By Mr. Ward (Geneva) (With N. & P.):

H. 292. To fix the salary of the Deputy Solicitor of Geneva County, Alabama, and to provide for the manner of the payment of the same.

By Mr. Jeter (Jefferson):

H. 36. To amend Section 1 of an Act entitled "An Act, to provide for the election of a Solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of Deputy Solicitors and Assistant Solicitors, prescribe their duties and authority and fix their compensation", approved September 25, 1915.

Mr. Mitchell, Chairman of the Standing Committee on Education reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis (Shelby):

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the school code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards

of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

By Mr. Ellis (Shelby) (With N. & P.):

S. 329. To authorize the Town Council of the Town of Vincent, Alabama, to abolish its Board of Education and place the government and control of the public school of said Town under the control of the County Board of Education and under State control.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the firemen's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees; to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under existing laws during the terms for which they have been elected, same to be trustees under this act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said Board of Trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of

such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective Firemen's pension and relief funds as created and provided in this act the respective funds and moneys and properties constituting Fremen's pension and relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

By Mr. Fite:

S. 315. To amend Sestion 16 of an Act approved September 25, 1915, entitled "An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal Census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act;" as amended by an Act approved August 15, 1923, entitled: An Act "To amend an Act approved September 25th, 1915; entiled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the

provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act;' and to provide for the going into effect of the various sections of said Act as amended."

ADVERSED REPORT

Mr. Hall, Chairman of the Standing Committee on Agriculture, reorted that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the Adverse calendar, to-wit:

By Mr. Loflin:

S. 122. To provide for the repeal of a stamp tax of $.30 per ton for each ton of fertilzer, fertilzer materials, or chemicals sold in this State, providing for the repeal of Section 14 of Article 16 of an Act approved September 27, 1923.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Mr. Goode:

H. J. R. 76. Where, the manuscript of the Code Commissioner as authorized by an Act approved February 18, 1927, has been prepared and filed with the Governor,

Be it Resolved by the House, the Senate concurring:

First, that there is hereby created a joint committee from the Senate and the House of Representatives of the Legislature of Alabama, to be composed of the Lieutenant-Governor and two Senators and the Speaker of the House and three other Representatives, who are hereby authorized and required to read the manuscript of the Agricultural Code as prepared by Hon. Harwell G. Davis:

Second, that the committee shall revise, amend, and correct the manuscripts so as to make it a harmonious body of law, as nearly perfect as possible, and in doing this, they shall keep correct minutes of their proceedings, to be signed by the Chairman of the committee, and returned with the manuscript, so that their amendments and corrections may be correctly incorporated in the published Code:

Third, that the committee shall have authority to employ one clerk, who shall receive not exceeding Eight ($8.00) Dollars a day.

Fourth, the chairman of the committee shall certify to the Auditor, the amount due the clerk of the committee, who must draw his warrant therefor on the State Treasurer.

Fifth, that any vacancy occurring in the Senate membership of the committee shall be filled by the President of the Senate, and any vacancy occurring in the House membership of the committee shall be filled by the Speaker of the House.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Holmes, the Senate concurred in and adopted H. J. R. 76, set out in the foregoing Message from the House, and the President and Presiding Officer of the Senate appointed as a Committee on part of the Senate Messrs. Hall and Holmes.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules reported that said Committee, in session, had acted on the following Joint Resolution and ordered same returned to the Senate with a favorable report to-wit:

S. J. R. 57. Resolved by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to reconvene on Tuesday, July 5th, 1927.

And on motion of Mr. Brown, the rules were suspended, said report concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 129. To provide for the election of a county superintendent of education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

Also:

H. 138. To create a State Service Commissioner, and to fix the duties and compensation of such commissioner, and to make an appropriation to carry out the purpose of this Act.

H. 340. To authorize and provide for the issuance and sale of State Bonds for the purpose of constructing, improving, repairing, and maintaining Public Roads, Highways, and Bridges

as authorized by the Constitutional Amendment known as Article XXA of the Constitution of Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly head at length by the Secretary of the Senate, signed the foregoing bills; the titles of of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 57. Relative to the adjournment of the two Houses today, to reconvene on Tuesday, July 5th, 1927.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 293. To provide the purpose and use of the gasoline tax by the several counties of the State, and to provide the purpose and use of the automobile license tag money received by the several counties and municipalities of the State, and to provide for the punishment of violations of this Act.

Was taken up.

Mr. Oliver offered the following amendment for said bill to-wit:

Amend Senate Bill No. 293 by striking therefrom Section 2 thereof.

Mr. Craft moved that the amendment offered by Mr. Oliver be laid upon the table, which motion was lost.

Yeas, 6; Nays, 20.

Yeas:				
Messrs:				
Brown	Edgar	Smith	Warren	
Craft	Nixon			—6
Nays:				
Messrs:				
Bonner	Ellis of Dallas	Hall	James	
Caffey	Ellis of Shelby	Hines	Jones	
Carlton	Fite	Jack	Justice	

Loflin	Nolen	Stanley	Walton
Moore	Oliver	Thompson	Young

—20

And the amendment offered by Mr. Oliver was then adopted. Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Justice	Oliver
Caffey	Hines	Loflin	Smith
Carlton	Jack	Moore	Stanley
Ellis of Dallas	James	Nixon	Warren
Fite	Jones	Nolen	Young

—20

Nays:—None.

Mr. Craft then moved that the further consideration of said bill as amended be postponed until the next Legislative Day, which motion prevailed.

The Bill:

S. 266. To amend an act entitled an act to prescribe the qualifications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

Was read a third time at length and passed.

Yeas, 18; Nays, 3.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Oliver
Bradford	Fite	Jones	Smith
Brown	Hall	Loflin	Warren
Caffey	Hines	Moore	Young
Carlton	Jack		

—18

Nays:
Messrs:

Edgar	Justice	Nixon	

—3

MESAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill and sends same herewith to the Senate.

By Mr. Rogers of Mobile:

H. 271. To regulate further primary elections for the nomination by political parties of candidates for public office within the State of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 271. To the Committee on Judiciary.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee ,in session, have compared the following engrossed bill with the original bill, respectively, and finds same correctly engrossed, to-wit:

S. 266. To amend an Act entitled An Act to prescribe the qualications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

W. B. Nolen,
Chairman.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 27th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 27th legislative day was approved by the Senate.

ADJOURNMENT

At 11:10 A. M., on motion of Mr. Nixon and pursuant to resolution heretofore adopted, the Senate adjourned until Tuesday, July 5th, 1927 at 2 P. M.

TWENTY-EIGHTH DAY

Tuesday, July 5th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

The session was opened with prayer by Rev. Dr. Jenkins, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Williams
Edgar	Jackson	Oliver	Young

—32

JOURNAL

On motion of Mr. Carlton, the reading of the Journal of yesterday was dispensed with and same aprpoved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Warren:

S. 337. To provide for the manner of selecting the county superintendent of education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

Education.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

There will be introduced in the Legislature of Alabama during the session beginning June 7, 1927, a bill to provide in substance as follows:

A BILL

To be entitled An Act to provide for the manner of selecting the County Superintendent of Education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

Be it enacted by the Legislature of Alabama:

Section 1. At the next general election held in Tuscaloosa County after the passage of this act, a County Superintendent of Education shall be elected by the qualified electors of said county, and the County School Board of said county shall not have authority after the passage of this act to engage a County Superintendent of Education for Tuscaloosa County, except as hereinafter provided; but nothing in this act shall be construed to interfere with any contract existing between the County School Board and the present County Superintendent of Education at the time of the passage of this act, and the present County Superintendent of Education may hold office until the time for installation of his successor under the provisions of this act.

Section 2. The County Superintendent of Education shall hold office for four years from the time of his installation in office, and until his successor is elected and qualified, and shall receive a salary of three thousand dollars per annum, payable in monthly installments, on the last day of each month, and the County School Board may, at its discretion, add thereto not exceeding six hundred dollars per annum for traveling expenses to be paid in the same manner.

Section 3. Before any person can qualify as a candidate for the office he must file in the office of the Probate Judge of the county an affidavit that he is a graduate of an A grade college or university, and that he has been actively engaged in educational work for the last three years prior thereto, or that he has had two years special training in educational work, either in the science of teaching or in supervisory work.

Section 4. If at any election for County Superintendent of Education no one qualifies as a candidate under this article, the County School Board shall have the right to engage a County Superintendent of Education in accordance with the general laws of Alabama; provided that the School Board shall not enter into a contract with any person to serve as County Superintendent of Education for more than four years from the time of the expiration of the preceding term.

Section 5. All laws and parts of laws in conflict with this act are hereby repealed.

STATE OF ALABAMA,
Tuscaloosa County.

Before me S. J. Pearson, a Notary Public in and for said state and county, on this day personally appeared, Aaron Miller, who being by me first duly sworn, deposes and says:

That he is publisher of the Tuscaloosa News & Times-Gazette, a newspaper published in said county, and that the publication of the notice of which the foregoing is a true copy has been made in said paper once a week for four consecutive weeks, to-wit: on the 10th day of June, 1927, on the 17th day of June, 1927, on the 23rd day of June, 1927 and on the 30th day of June, 1927.

Aaron Miller

Subscribed and sworn to before me on this the 1st day of July, 1927.

S. J. Pearson,
Notary Public in and for Tuscaloosa County, Alabama.

By Mr. Fite:

S. 338. To provide for the disposition of school property held in trust by County Boards of Education for school purposes and for the use of the proceeds hereof, including school property in any part of the territory the schools of which are under the

jurisdiction of said County Boards of Education, when such territory is anexed to or absorbed within the boundaries of some town or city.

Education.

By Mr. Bonner:

S. 339. To protect the people of Alabama against the menace of narcotic drug addiction, to safeguard and regulate the legitimate use of and traffic in habit forming narcotic drugs, to suppress the ilegitimate use of and traffic in the same, to check the spread of narcotic drug addiction, and to fix penalties for violation of this act.

Temperance.

By Mr. Teasley:

S. 340. To fix the salary of judges of probate in all counties in this State which now have, or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said judges of probate and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such judges of probate, and to provide for an election clerk to be appointed by said judges of probate, who shall also be ex-officio clerk of the board of registrars in said counties, define his duties and fix his compensation; and to require all of said judges of probate to pay into the county treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said judges of probate as other moneys belonging to said counties are paid.

Judiciary.

By Mr. Teasley:

S. 341. To amend an Act entitled "An Act to amend the title, and Sections one, four, six, seven, eight, nine, eighteen, twenty-seven, thirty and thirty-three of an Act entitled: 'An Act to regulate inferior courts or courts of common pleas, or by whatsoever name the same is known and called, in cities having as many as thirty-five thousand and less than fifty thousand population, according to the last or any subsequent Federal census; to provide and define the jurisdiction and powers of such courts; to provide for the judges and officers of such courts, and their powers, duties and compensation and to fix the fees and costs for such courts; to provide the rules of procedure for such courts; and for the operation thereof, and to provide for registering, and a lien for its judgments; and to abolish justices of the peace in such cities', approved February 19, 1919, found in the General Acts of Alabama, 1919, pages 155 to 163, inclusive"

approved September 7th, 1923, found in the General Acts of Alabama, 1923, pages 251 to 255, inclusive.

Judiciary.

By Mr. Fite:

S. 342. To authorize cities which now have or which may hereafter have a population of 60,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting facilities and to assess the cost against property abuting the streets upon which such facilities are located to the extent of the increased value of such property by reason of the special benefits derived from such improvements.

Municipalities and Municipal Organizations.

By Mr. Mitchell (By request) :

S. 343. To amend Sections 2341 and 2364 of the Code of Alabama, 1923.

Revision of Laws.

By Mr. Mitchell (By request) :

S. 344. To amend Section 2174 of the Code of Alabama, 1923.

Municipalities and Municipal Organizations.

By Mr. Mitchell (By request) :

S. 345. To authorize each municipal corporation in the State of Alabama which has heretofore constructed with the proceeds of general obligation bonds sanitary sewers, or sanitary sewer systems, where the entire principal of such bond issue, is still unpaid to assess against all lots or tracts lying within the area drained by said sewers or sewer systems, to the extent of the increased value of such property by reason of the special benefits derived from such sewers or sewer systems, the cost of construction of such sewers or sewer systems, and to provide for the collection thereof.

Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate.

S. 46. To establish an inferior court in precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the city of Bessemer, in lieu of all justices of the peace, in said precincts and in lieu of all other inferior courts, created in lieu of justices of the peace heretofore created in said territory, to define the jurisdiction and powers of the said court, the judge, clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said judge, clerks and offi-

cers of said court, the payment of their salaries and the manner of their appointment and election.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

In accordance with the provisions of House Joint Resolution No. 76 providing for a Joint Committee of the two Houses to read and revise the Agricultural Code, the Speaker of the House has named as Committee on part of the House, Messrs. Allen, Goode and Kirkpatrick.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Sanderson:

H. 382. To amend Section 5526 of the Criminal Code of Alabama.

Also:

By Mr. Sanderson:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the State, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties juvenile and domestic relations courts and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency, neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication, or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the

purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an advisory board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

Also:

By Mr. Goodwyn:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the courts of county commissioners, boards of revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

Also:

By Mr. Smith (Notice and Proof):

H. 638. To estalish an additional or branch court house at Phenix City, in Russell County, Alabama; to divide the county into Northern and Southern divisions for such circuit court and

to fix the boundary line between the two: To provide for the manner and form of the process for causes to be heard in the different divisions; to require certain officers of the county to keep an office at such branch court house; to fix the duties and compensation for such officers; to provide for grand and petit juries; to fix the jurisdiction and venue of each division of both civil and criminal cases, and to provide for the removal of such cases from one division to the other; to provide the method of appeal from inferior courts to the respective divisions of the Circuit Court; to fix requirements as to the confinement of prisoners in the county jail; to provide for the jury and non-jury terms of circuit court in said divisions; to fix the method of determining said terms: To provide for regular and special meetings of the Board of Revenue of said County in each division; to declare and fix the duties of the Judge of Probate with reference to said branch office and the two divisions; to provide for the penalty for failure to comply with his duty and to fix compensation therefor; to provide for the holding of county court in each division and the jurisdiction of cases as to the said divisions; to provide for the appointment of a deputy clerk and fix his compensation : To require Phenix City, in Russell County, Alabama, to furnish quarters for the said county officers, safekeeping of the records thereof, and for the furnishing of said offices with furniture, fixtures, equipment, etc.: To provide for the furnishing of books and stationery by the County; to fix the method and time by which said Act shall be and be declared to be operate and effective, and the time within which the first term of the circuit court shall be held in said Northern division; to fix the duties and provide the compensation of the tax collector and tax assessor with reference to said branch or additional court house and division.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to introduce and apply for the passage thereof of the following Local Legislation, affecting the County of Russell, and that a bill in substance as folows will be introduced in the coming session of the Legisature of the State of Alabama:

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby established a branch Court House at Phenix City, in Russell County, Alabama, the same to be located in that part of Phoenix City, Russell County, Alabama, that formerly was Girard, Russell County, Alabama, said Phoenix City now comprising what was formerly Girard, Russell County, Alabama, and what was formerly Phenix City, Lee County, Alabama, by act of the Legislature approved August 9, 1923, and to this end and for the purposes hereinafter expressed, the County of Russell be and the same is hereby divided as follows:

Commencing on the Western boundary line of Russell County at a point equally distant from the North boundary line and the South boundary

line of Township 16, and running thence East along the line equally distant from the said North boundary line and to the said South boundary line of said Township 16, to the Big Uchee Creek, thence down said Big Uchee Creek to the Western boundary line of Range 30, thence South along the West side of Range 30 to the South boundary of Township 15, and thence east to the Chattahoochee River, which said division places the said Phoenix City, in Russell County, Alabama, on one side of said boundary line and Seale, Russell County, Alabama, on the other side of said boundary line, and the two said divisions shall be known as the Northern and the Southern Divisions of the Circuit Court of Russell County.

Section 2. That all process for causes to be heard in the Circuit Court of Russell County at Seale shall be designated Southern Division, and that all process for causes to be held in the Circuit Court of Russell County at Phoenix City, in Russell County shall be designated Northern Division.

Section 3. That the Clerk of the Circuit Court shall keep an office at the Court House in Seale and another office in Phoenix City in Russell County, and that the records, dockets and papers of causes to be heard in the Southern Division shall be kept in his office at Seale, and the records, dockets and papers of causes to be heard in the Northern Division shall be kept in his office in Phoenix City in Russell County; that said Clerk may reside in Seale, Alabama, or in Phenix City, Russell County, Alabama, but said Clerk shall have a competent assistant at the place where he does not attend or reside in person, and both offices shall be kept open for the transaction of business as is required by law of clerks of the Circuit Court.

Section 4. That grand and petit juries shall be drawn from and serve in their respective divisions to be held in the two said named Courts of Russell County for the Circuit Court of Russell County as is provided by law, the time and place of their service to be designated by the officers drawing and summoning them.

Section 5. That the division in which criminal cases shall be tried shall be the division in which the crime is committed; but the grand jury of either division may indict for offenses committed in the same or other division, and whenever a defendant is indicted for an offense and the case is docketed for trial in the division in which the crime was not committed, then and in this event it shall be the duty of the Judge of the Circuit Court on application of such defendant or his attorney, in writing, or in open Court, to transfer said cause to the division of the Circuit Court of Russell County in which the crime was committed, provided, of course, the Judge is convinced the application speaks the truth, said defendant to be there tried on the original papers the same as if the process had been returnable to the Circuit Court for that division.

Section 6: That whenever a civil case shall be pending in the Court to be held at Seale, if the defendant shall reside in the division known as the Northern Division, it shall be the duty of the Judge of the Circuit Court on application of such defendant, or his attorney, in writing, or in open court, to transfer said cause to the court held in the Northern Division, provided the Judge is convinced that the application speaks the truth, to be there tried on the original papers the same as if the process had been returnable to the Circuit Court of Russell County for the Northern Division.

Section 7. That whenever a civil case shall be pending in the Court to be held for the Northern Division, if the defendant shall reside in the division known as the Southern Division, it shall be the duty of the Judge of the Circuit Court on application of such defendant, or his attorney in writing, or in open Court, to transfer said cause to the Court held for the Southern Division, provided the Judge is convinced that the application speaks the truth, to be there tried on the original papers the same as if the

process had been returnable to the Circuit Court for the Southern Division.

Section 8: That the person employed by the Clerk of the Circuit Court to keep an office at Seale or Phoenix City in Russell County, as the case might be, shall in the name of such Clerk have and exercise all the powers now or hereafter vested in the Clerks of the Circuit Court in this State, and the Clerk of the Circuit Court shall be responsible for all of the acts, defaults and omissions of such person so appointed as his deputy and may require bond of such person in the same amount as he is required to give as the Clerk of the Circuit Court and conditioned in like terms as his bond as such Clerk.

Section 9. That in all cases of appeal from the Justice, Probate or other inferior court where appeals or any other appellate process lies to the Circuit Court of Russell County, appeal shall be governed by and taken to the Circuit Court of Russell County in the division in which such case was tried in such inferior court, and all preliminary hearings before a Justice of the Peace or other inferior court shall likewise fall within the jurisdiction and be presented to or returnable to grand juries or the Circuit Court in the jurisdiction in which the offense was committed.

Section 10. That any person indicted or bound over to answer any criminal offense in said County, if unable to get bond for his appearance, shall be confined in the County jail at Seale, and any prisoners in said County shall be confined in said jail, except when court is in session and proper quarters are provided for the defendants or criminals in Phoenix City in Russell County, in which event said defendants or criminals may be kept in such appropriate place temporarily and this provision shall obtain and be in force until permanent and satisfactory quarters are provided in Phoenix City in Russell County for such criminals and prisoners and this provision shall apply to all persons required to be confined in the County jail of Russell County, Alabama.

Section 11: Provided, however, that as to civil matters the court in which the land, the subject matter of litigation, lies shall have jurisdiction of the litigation pertaining thereto when the land is the material matter involved in such litigation.

Section 12. That Circuit Court Jury term, shall be held twice each year, and non-jury term shall be held twice each year, in each of said jurisdictions in Russell County. The time of holding the same shall be fixed by the Circuit Judge of the Third Judicial Circuit and the same shall be held under the same provisions, rules and regulations and laws as Circuit Court is held in Seale, Alabama, and in other counties in said Third Judicial Circuit.

Section 13. That the Board of Revenue of Russell County, Alabama, shall hold four regular meetings per annum, two of said regular meetings shall be held in Seale and two of such regular meetings shall be held in Phoenix City in Russell County, Alabama, and said regular meetings of the Board of Revenue and special meetings shall be held at such time as the Board of Revenue may adopt by resolution spread upon its minutes and thereafter published in some newspaper published in Russell County, Alabama. The purpose of this provision being not to limit the said Board to four regular meetings per annum as a maximum, but as a minimum—said Board may have regular meetings as often as it deems necessary and advisable by so determining in such resolution which shall be published as hereinabove provided.

Section 14. That it shall be the duty of the Judge of Probate of Russell County Alabama, to keep an office in the City of Phoenix City in Russell County, for the record of conveyances and other papers required to be admitted to record in the conveyance records of said county, and that he shall record in such records such conveyances and instruments as may be

offered, in the same manner as now prescribed by law for recording such instruments in his office at the court house of said county.

That within the first three days of each month, said Judge of Probate shall prepare a list of all such instruments filed and recorded in said office at Phoenix City, in Russell County, designating the parties to such instruments, the date and amount in the same, a full description of all the property covered by the same, when due, and the date of filing and recording, and the book and page in which recorded, and shall record such list in the conveyance records in his office at the court house in Seale, indexing the same in the same manner as if the said instruments were recorded in full therein.

That in like manner, within the first three days of each month, said Judge of Probate shall make similar lists of the instruments filed and recorded in his office at the court house in Seale and cause such lists to be in like manner recorded and indexed in the conveyance records in his office at Phoenix City, in Russell County.

That any instrument so filed and recorded in the office of said Judge of Probate in Phoenix City, in Russell County, or in the office of said Judge of Probate at Seale, shall operate as notice, and be, in all respects held and regarded and of the same force and effect as if filed and recorded in the probate office at the court house of said county prior to the passage of this Act.

That a failure to make out and have recorded the lists of conveyances and instruments, as required by this Section, by the said Judge of Probate, shall render the said Judge of Probate liable on his official bond and personally for any damage occasioned by his failure herein.

Section 15: That the same law that governs and controls the office of the Judge of Probate shall obtain and apply to the office of the Judge of Probate in the branch court house at Phoenix City, in Russell County.

Section 16: That the Judge of Probate Court as Judge of the County Court of Russell County, Alabama, shall hold County Court in the Southern Division on the first Monday in each month and in the Northern Division on the second Monday in each month. And in each division said court may continue in session until the cases ready for trial are disposed of.

Section 17: That the same provisions hereinabove fixed as to jurisdiction in the Circuit Court and the two Divisions thereof shall apply and control as to jurisdiction in the County Court cases in and for the said two Divisions.

Section 18: That the Judge of Probate shall appoint a deputy or clerk, and said deputy or clerk shall be paid a salary, by the county, the same to be paid to him directly in twelve equal monthly installments, per year, to go as compensation to such deputy or clerk who serves for the Probate Judge in the office of the Probate Judge at Phoenix City in Russell County. The Judge of Probate upon the appointment by him of such deputy shall certify such appointment to the Board of Revenue of Russell County and thereupon the Board of Revenue shall fix the salary of such deputy or clerk in such amount as said Board of Revenue may deem fair and proper; provided, however, that in no event shall such deputy or clerk be paid more than $1200.00 per annum.

Section 19: That the Clerk of Circuit Court shall appoint a deputy clerk of the Circuit Court, and said deputy clerk shall be paid a salary by the County, the same to be paid to him directly in twelve equal monthly installments, per year, to go as compensation to such deputy clerk, who shall keep an office in the jurisdiction in which the clerk himself does not reside and keep an office, and said deputy clerk shall have the same rights, powers and duties as the Clerk of Circuit Court. The Clerk of Circuit Court upon the appointment by him of such deputy clerk shall certify such appointment to the Board of Revenue of Russell County, and there-

upon the Board of Revenue shall fix the salary of such deputy clerk in such amount as said Board of Revenue may deem fair and proper provided, however, that in no event shall such deputy clerk be paid more than $1200.00 per annum.

Section 20: That the same man who is designated as deputy clerk of the Circuit Court may also be designated as deputy or Probate Clerk or vice versa, who may occupy and fill both offices.

Section 21: That the Sheriff and the Sheriff's deputy shall serve both courts and do and perform all duties that are encumbent upon such Sheriff in both jurisdictions alike.

Section 22. It shall be the duty of the City of Phoenix City, in Russell County, Alabama, to furnish quarters for holding said Court and a suitable and proper place for the safe keeping of all the necessary records of the County officers and to furnish such officers or their deputies with proper offices and furnish and provide all office furniture, fixtures and equipment, and this provision shall be in force and obtain until such time as the county sees fit to erect or supply permanent quarters, or quarters to be owned by the County.

Section 23: That Russell County, by and thru its Board of Revenue shall furnish all necessary books and stationery for the Northern Division as are now furnished for the County officers at Seale, and when they deem the County financially able shall have records of all liens and conveyances of property located in the northern divisions transcribed into well bound books, certified to as being true copies and filed in the office of the Judge of Probate in the northern division.

Section 24. That this Act shall go into effect and become operative as soon as such suitable quarters and place for holding court and safe keeping of the records of such courts and officers shall be provided by the City of Phoenix City, in Russell County.

Section 25: That the Board of Revenue of Russell County, Alabama, be and it is hereby vested with the power and authority to decide and determine as to when such quarters have been supplied and furnished and are in readiness, and shall express their decisions concerning such by resolution spread upon the minutes of said Board of Revenue and a copy of said resolution duly certified shall be sent by the Board of Revenue to the various officers of Russell County affected hereby, and a copy shall be sent by such Board to the Circuit Judge of the Third Judicial Circuit, which shall be notice to all of said officers of the effectiveness of this Enactment.

Section 26. The Circuit Judge of the Third Judicial Circuit be and he is hereby authorized and directed within ninety days from receipt of the certified copy of resolution of the Board of Revenue of Russell County, declaring that suitable and proper quarters have been supplied and are in readiness by the City of Phoenix City in Russell County, under the terms and provisions of this Act to fix the time of holding the non-jury terms, and jury terms of the Circuit Court of Russell County in said two jurisdictions designated—the Northern Division and the Southern Division of the Circuit Court of Russell County, Alabama.

Section 27: That the Tax Collector of Russell County shall appoint a deputy tax collector, who shall keep an office open in the Northern Division at Phoenix City, in Russell County, who shall have the right as the deputy of such tax collector to perform all duties of the tax collector and taxes may be paid to him the same as the tax collector. Such deputy tax collector shall be required to give bond in the same manner and amount as the tax collector is now required to give bond and subject to the same requirements and restrictions.

Section 28: That the Tax Assessor of Russell County shall appoint a deputy tax assessor, who shall keep an office open in the Northern Division at Phoenix City, in Russell County, who shall have the right as the deputy

of such tax assessor to perform all the duties of the tax assessor, and taxes may be assessed with him the same as the tax assessor.

Section 29: Nothing herein contained shall in any way affect the general Statutes of the State of Alabama, declaring the Circuit Court to be always open and in session, except at the stated times of adjournment, which shall still control and be effective as to the Circuit Court of Russell County, Alabama, in both divisions.

Section 30: That if any provision or section of this Act shall be declared unconstitutional or void, it shall not affect the remaining sections or provisions, and such remaining sections or provisions shall stand and remain in full force.

Section 31: That all laws, local or general, in conflict with the provisions hereof, be and the same are hereby repealed.

STATE OF ALABAMA,
Russell County.

Before me, Isabel A. Moses, a Notary Public in and for said County and State, personally appeared J. J. Moses, who being by me first duly sworn, deposes and says, that he is the Editor and Publisher of the Phenix-Girard Journal, and that the notice of intention to apply for the passage of Local Act, a copy cut from the Phenix-Girard Journal, being hereto attached and made a part hereof as fully and as completely as if set out herein fully, was published in the Phenix-Girard Journal once a week for four consecutive weeks, the first publication having been made on the 27th day of May, 1927, and it was published thereafter once each week, making in all four consecutive weeks.

Affiant further states on oath that the said Phenix-Girard Journal is a newspaper published in Russell County, Alabama, the county which is to be affected by the Local Legislation incorporated in said proposed bill and said notice was given in accordance with the intent, purpose and requirement of Section 106 of the Constitution of Alabama, 1901.

J. J. Moses.

Sworn to and subscribed before me, this 20th day of June, 1927.

Isabel A. Moses.

(Seal) Notary Public Russell County, Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. 382 and 638 to the Committee on Judiciary.

H. 574 and 604 To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Poole:

H. 353. To provide for the disposition of certain surplus state documents now in the possession of the Department of Ar-

chives and History, held in custody for the several other State Departments, Bureaus, Boards, Commission and other offices and to repeal that Act of the Legislature approved Sept. 23, 1915, and embodied in Sec. 1408 of the Code of 1923, and to appoint a commission to carry into effect these provisions.

By Mr. Long:

H. 339. To provide and set apart certain offices and rooms in the State Capitol Building for the sole use of the Legislature and to make an appropriation for the repairing, furnishing and equipping of said offices and rooms and the Senate Chamber and Hall of the House of Representatives and to provide for the appointment of the necessary committee or committees to carry into effect the provisions of this Act.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. 353 To the Committee on Judiciary.

H. 339 To the Commitee on Finance and Taxation.

RESOLUTIONS

Mr. Fite offered the following Joint Resolution:

S. J. R. 58. Whereas, Will Rogers, by his visit to Montgomery and his splendid address delivered to members of the Legislature in joint session last winter, stored happy recollections in the memory of each member of the Legislature; and

Whereas, Information has been received that Mr. Rogers is seriously ill at his home at Beverly Hills, California, and has undergone a dangerous operation; Now, therefore, be it

Resolved, By the Senate, the House concurring, that it is the earnest hope of each member that Mr. Rogers be speedily restored to health and strength, and that on his recovery he return to the capitol of Alabama and address the Legislature in joint session, an invitation for which is hereby extended, Be it further

Resolved, That the Secretary of the Senate forward a copy of these resolutions by telegraph to Mr. Rogers and that a copy be spread on the Journals of the Senate and House.

Which was adopted.

Mr. Fite offered the following Resolution:

S. J. R. 59. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet on Friday the 8th day of July, 1927, at 10 o'clock A. M.

Which was, under a suspension of the rules, adopted.

The Rules Committee reported the following Senate Resolution:

S. 60. Be it Resolved by the Senate that no further appropriation bills or bills carrying appropriations be passed by the Senate until the Revenue Bill has been passed and approved.

Which was, under a suspension of the rules, adopted.

BILL RECALLED AND RE-REFERRED

Mr. Young moved that the bill:

H. 271. To regulate further primary elections for the nomination by political parties of candidates for public office within the State of Alabama.

Be recalled from the Committee on Judiciary and re-referred to the Standing Committee on Privileges and Elections.

Mr. Bonner moved that the motion of Mr. Young be laid upon the table, which motion was lost.

Yeas, 12; Nays, 16.

Yeas:				
Messrs:				
Bonner	Craft	Justice	Stanley	
Bradford	Ellis of Dallas	Mitchell	Stokes	
Cowan	James	Oliver	Teasley	
				—12
Nays:				
Messrs.:				
Brown	Ellis of Shelby	Holmes	Nolen	
Caffey	Fite	Jones	Walton	
Cowan	Hall	Loflin	Warren	
Edgar	Hines	Nixon	Young	
				—16

The question then recurred on the motion of Mr. Young, which motion prevailed and said bill was recalled from the Committee on Judiciary and re-referred to the Standing Committee on Privileges and Elections.

BILLS ON THIRD READING

The Bill:

S. 296. To provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to education.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:			
Messrs:			
Bradford	Edgar	Fite	Holmes
Brown	Ellis of Dallas	Hall	Jack
Caffey	Ellis of Shelby	Hines	Jackson

Jones	Nixon	Stokes	Warren
Justice	Nolen	Walker	Williams
Mitchell	Oliver	Walton	Young

—24

Nays:—None.

The Bill:

S. 276. To vacate and close as a public highway or street that portion of Lee street in the city of Selma, Dallas County, Alabama, described as follows: Commencing at a point on the north margin of Alabama avenue, twenty-five feet west of the corner formed by the intersection of the north margin of Alabama avenue with the east margin of Lee street and running thence westwardly along the north margin of Alabama avenue thirty-five feet and extending northwardly with that uniform width to where said Lee street strikes the section line; (said section line being more properly described as the quarter section line running north and south through the northwest quarter of Section 31, Township 17, Range 11); being thirty-five feet off the west side of Lee street as now or formerly laid out.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Fite	Loflin	Walker
Caffey	Hall	Mitchell	Walton
Carlton	Hines	Nixon	Warren
Cowan	Holmes	Nolen	Williams
Craft	Jackson	Stanley	Young
Edgar	James		

—30

Nays:—None.

The Bill:

S. 281. To provide that in Lauderdale County, Alabama, the assessment lists or sheets shall constitute the book of assessments as required by the General Revenue Law.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Carlton	Ellis of Dallas	Hines
Bradford	Cowan	Ellis of Shelby	Holmes
Brown	Craft	Fite	James
Caffey	Edgar	Hall	Jones

Justice	Nolen	Teasley	Warren	
Loflin	Oliver	Walker	Williams	
Mitchell	Stanley	Walton	Young	
Nixon	Stokes			—30

Nays:—None.

The Bill:

H. 75. To provide for the restoration of the names of Confederate Veterans, or their widows, where same have been dropped on account of absence from the State for more than a year, on the pension rolls of the State, where such veteran or widow is a bona fide resident of this State and is not now drawing a pension from any other State.

Was taken up.

Mr. Edgar offered the following amendment to said bill to-wit:

To be entitled an Act to provide for the restoration to the pension rolls of the State of the names of Confederate Soldiers and Sailors, or the widows of such persons, where such names have been dropped from said rolls since January 1st, 1922 on account of absence from the State for more than a year, where such Soldier or Sailor or widow of such person is a bona fide resident citizen of this State at the time of making application for restoration.

Amend Section 1 of the Bill by striking out the word "Veterans" and substituting in lieu thereof the words "soldiers or sailors" and by adding after the word "Class" in the last line of said section the words "on the pension rolls of this State."

Amend Section 2 of the Bill so as to read as follows:

Section 2. That any Confederate Soldier or Sailor or the widow of such person whose name has been dropped from the pension rolls of this State since January 1st, 1922 and as specified in section one of this Act and who is a bona fide resident citizen of this State at time of making application for restoration of his or her name to the pension rolls of the State may have his or her name restored to the pension rolls of this State by making application before the Probate Judge of the County of his or her residence setting forth in said application the name of the County in which such person was residing at the time the name of such person was stricken from the pension rolls, and the name of the places, Counties and States, where such person has resided since his name was dropped from the pension roll of Alabama, such application to be supported by affidavit of the applicant and proof of two witnesses as to bona fide residence in this State. Such application shall be forwarded by the Probate Judge to the Alabama Pension Commission and if on investigation by said Commission the facts set forth in said application

are found to be true and correct said Commission shall order the name of such person restored to the pension rolls of the State to be placed in the class to which such person may under the law belong.

Which was adopted.

Yeas, 25; Nays, 1.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stanley
Bradford	Fite	Jones	Teasley
Caffey	Hall	Loflin	Walker
Cowan	Hines	Mitchell	Warren
Craft	Holmes	Nixon	Williams
Edgar	Jack	Oliver	Young
Ellis of Dallas			—25

Nay:—Mr. Carlton.—1.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; Nays, 1.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Nolen
Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Walker
Cowan	Hines	Mitchell	Walton
Craft	Holmes	Nixon	Young
Edgar	Jack		—26

Nay:—Mr. Carlton.—1.

The Bill:

S. 330. To repeal Section 2364 of the Code of Alabama, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	James	Stanley
Bradford	Fite	Justice	Stokes
Caffey	Hall	Loflin	Teasley
Cowan	Hines	Mitchell	Walker
Craft	Holmes	Nixon	Warren
Edgar	Jack	Nolen	Williams
Ellis of Dallas	Jackson	Oliver	Young
			—28

Nays:—None.

The Bill:

S. 331. To amend Section 2341 of the Code of Alabama, 1923.

Was taken up.

The Standing Committee on Municipalities and Municipal Organizations reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE

A Bill entitled an Act to amend Section 2341 of the Code of Alabama, 1923.

Be it Enacted by the Legislature of Alabama, that Section 2341 of the Code of Alabama, 1923, be amended so as to read as follows:

Section 2341. "Immediately after the adoption of such form of Government which shall go into effect upon election and qualification of the Commission, the Probate Judge of the County shall forthwith call an election to be held under and to be governed by Article 46 Chapter 43 of the Code of Alabama, 1923, except as changed herein, the expense thereof to be paid by the Municipality, for the election of three (3) commissioners by the qualified electors of the municipality. The (3) receiving the highest number of votes shall be elected thereto, whose terms of office shall commence immediately upon their election and qualification and who shall hold office until the First Monday in October of the third (3rd) year following, and until their successors are elected and qualified, and an election shall be held on the 3rd Monday in September of the year preceding the expiration of the term of office of said three (3) Commissioners at which election three (3) commissioners shall be elected for a period of one (1), two (2) and three (3) years respectively, and on the same date of each succeeding year for the member or the Board of Commissioners, whose term shall expire in that year, the commissioner then elected shall hold office for a term of three (3) years from the first Monday in October of said year, and until his successor shall be elected and qualified for office."

Which was adopted.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jones	Stokes
Bradford	Hall	Justice	Teasley
Brown	Hines	Loflin	Walker
Caffey	Holmes	Mitchell	Walton
Cowan	Jack	Nixon	Warren
Craft	Jackson	Oliver	Williams
Ellis of Dallas	James	Stanley	

—27

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 27; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jones	Stanley	
Bradford	Hall	Justice	Stokes	
Caffey	Hines	Loflin	Teasley	
Cowan	Holmes	Mitchell	Walker	
Craft	Jack	Nixon	Warren	
Ellis of Dallas	Jackson	Nolen	Williams	
Ellis of Shelby	James	Oliver		—27

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills:

By Mr. Rankin (with notice and proof):

H. 566: To authorize the Court of County Commissioners of Limestone County, Alabama, to levy a tax or privilege license on all persons selling, or keeping in storage for sale, gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles, and to provide rules, regulations and machinery for the collection thereof; and to provide penalties for the violation of such rules and regulations.

With notice and proof attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LAW

Notice is hereby given of the intention to introduce and have passed at the adjourned session of the 1927 session of the legislature of Alabama to convene on June 7, 1927, of a local law substantially as follows:

An act, to be entitled an act, to authorize the Court of County Commissioners of Limestone County, Alabama, to levy a tax or privilege license on all persons selling, or keeping in storage for sale, gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles, and to provide rules, regulations and machinery for the collection thereof; and to provide penalties for the violation of such rules and regulations.

Be it enacted by the legislature of Alabama that:

SECTION 1. The court of County Commissioners of Limestone County, Alabama, may, for the purpose of constructing and maintaining public roads, bridges and ferries in Limestone County, Alabama, impose a tax on gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles sold in the county, or stored in the county for sale, not to exceed three cents (3c) per gallon; or may impose and collect a privilege license or tax of not more than 3c per gallon on all gasoline, Woco Pep, or any other motor fuel used by self propelled vehicles and sold in said county, or stored in said county for sale, for the privilege of selling the same.

Section 2. That said Court of County Commissioners may also provide rules, regulations and machinery for the collection of such privilege tax or license, and provide penalties for the violation of such rules and regulations.

Section 3. That all such licenses or taxes to be levied or imposed, and the money derived therefrom shall be used exclusively for the purpose of constructing and maintaining public roads, bridges and ferries in Limestone County, Alabama.

THE STATE OF ALABAMA,
Limestone County.

R. H. Walker being duly sworn says: that he is owner, editor, proprietor and publisher of the Limestone Democrat, a weekly newspaper of general circulation published in Athens, Limestone County, Alabama; that the above and foregoing notice of a proposed local law for Lmestone County, Alabama, was published in said Limestone Democrat for four successive weeks prior to this date, said notice appearing in the issues of said paper of date May 19th, May 26th, June 2nd and June 9th, 1927.

R. H. Walker.

Subscribed and sworn to before me, this June 11, 1927.
(Seal)

Ruth Turner,
Notary Public.

Also:

By Mr. Miller of Sumter:

H. 612. To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

With notice and proof attached and herewith exhibited as follows:

STATE OF ALABAMA,
Greene County.

Before me, Sarah Smith, a Notary Public, in and for said County and State, personally appeared Jas. S. Coleman, who being by me duly sworn deposes and says that he is Editor of the Greene County Democrat, a newspaper published in Eutaw, Greene County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 14th day of April, 1927, and on the 21st day of April, 1927 and on the 28th day of April, 1927, and on the 5th day of May, 1927.

(Signed) Jas. S. Coleman.

Sworn to and subscribed before me this 24th day of May, 1927.

(Signed Sarah Smith,
Notary Public, Greene County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Marengo County.

Before me, John McKinley, a Notary Public, in and for said county and State, personally appeared R. E. Sutton, who being by me duly sworn, deposed and says that he is editor of the Democrat-Reporter, a newspaper published in Linden, Marengo County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on the 14th day of April, 1927 and on the 21st day of April, 1927, and on the 28th day of April, 1927, and on the 5th day of May, 1927.

(Signed) R. E. Sutton.

Sworn to and subscribed before me this 30th day of May, 1927.

(Signed) Jno. McKinley,
Notary Public, Marengo Co., Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Pickens County.

Before me, W. S. McGee, a Notary Public, in and for said County and State, personally appeared Jack M. Pratt, who being by me duly sworn de-

poses and says that he is Editor of the Pickens County Herald, a newspaper published in Carrollton, Pickens County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 14th day of April, 1927, and on the 21st day of April, 1927 and on the 28th day of April, 1927 and on the 5th day of May, 1927.

(Signed) Jack M. Pratt.

Sworn to and subscribed before me this 23rd day of May, 1927.

(Signed) W. S. McGee,
Notary Public, Pickens County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

STATE OF ALABAMA,
Sumter County.

Before me, T. M. Tartt, Jr., a Notary Public, in and for said County and State, personally appeared W. H. Lawrence, who being by me duly sworn deposes and says that he is editor of Our Southern Home, a newspaper published in Livingston, Sumter County, Alabama; that said newspaper is published weekly and that the notice hereto attached has been published once a week for four consecutive weeks, the said notice appearing in said issue of said paper on 13th day of April, 1927, and on 20th day of April, 1927, and on 27th day of April, 1927, and on 4th day of May, 1927.

W. H. Lawrence,

Sworn to and subscribed before me this 31st day of May, 1927.

T. M. Tartt, Jr.,
Notary Public, Sumter County, Ala.

NOTICE

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL

To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama, and to provide for the payment of same:

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act, the Official Court Reporter of the Seventeenth Judicial Circuit of Alabama shall receive a salary of twenty-seven hundred dollars ($2700.00) per annum, payable as provided by law for the payment of Court Reporters.

Section 2. In addition to the duties now required by law of Court Reporters, the Official Court Reporter of the Seventeenth Judicial Circuit when not engaged in his regular duties in the Circuit Court, shall report the oral testimony and proceedings in all contested will cases in the Probate Courts of the several counties composing the Seventeenth Judicial Circuit and all habeas corpus proceedings, and all preliminary hearings in all capital cases before a committing Magistrate in said counties when ordered to do so by the Judge of the Seventeenth Judicial Circuit.

Also:

By Mr. Parrish:

H. 593. To provide for the Election of a County Superintendent of Education for Henry County, Alabama, to fix his term of office, to prescribe his salary, and manner of payment to define his qualifications, powers and duties, and to provide for the election of his successor in office.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama at the session re-convened on June 7, 1927, to pass a bill which shall be substantially as follows:

A BILL

To be Entitled An Act To provide for the election of a county superintendent of education for Henry County, Alabama, to fix his term of office; to prescribe his salary, and the manner of payment; to define his qualifications, powers and duties; to provide for a special election to be held to elect such county superintendent of education for Henry County, Alabama, to fix his term of office; to prescribe his salary, and the manner of payment; to define his qualifications, powers and duties; to provide for a special election to be held to elect such county superintendent of education under this Act, and to provide for the election of his successor in office.

J. A. Parrish,
Member of the Legislature.

STATE OF ALABAMA,
Henry County.

Personally appeared before me J. P. Mitchell, who being sworn, says that he is the editor of the Wiregrass Farmer, a weekly newspaper published at Headland in said State and County; that the attached notice was published for four weeks in said paper.

J. P. Mitchell,

Witness my hand this the 13th day of June, 1927.

Dan Campbell,
Notary Public.

Also:

By Mr. Darden:

H. 589. To divide Coosa County, Alabama, into five County Board of Education Districts, to define the boundaries of said districts, to provide for the nomination and election of a member of the County Board of Education of Coosa County from each of said districts for said county, to provide for the nomination and election of two members of the County Board of Education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the county board of education of Coosa County, Alabama; to define the duties of the County Board of Education of said County of Coosa and State of Alabama, thus elected; and to provide that women may serve on the County Board of Education of Coosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom This May Concern:

Notice is hereby given that at the present session of the Alabama Legislature a Local Bill for Coosa County, Alabama, will be introduced for passage, to elect a member of the County Board of Education of Coosa county from five districts of the county and to divde the county into five County Board of Education districts and the substance of said bill will be as set out below.

Yours very truly,
John A. Darden.
Representative Coosa County, Alabama in Alabama Legislature.

A BILL

To be entitled An Act to divide Coosa county, Alabama, into five County Board of Education districts, to define the boundaries of said districts, and to provide for the nomination and election of a member of the county board of education of Coosa County from each of said County Board of Education Districts for said County to provide for the nomination and election of two members of the County Board of Education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the County Board of Education of Coosa County, Alabama to define the duties of the County Board of Education of said county of Coosa and State of Alabama thus elected; and to provide that women may serve on the County Board of Education of Coosa County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. Coosa county, Alabama is hereby divided into five county board of education districts, and from each shall be elected a member of the county board of education for said county as hereafter set out, and whose term of office shall be six years unless otherwise set out in this act.

Section 2. First county board of education district of Coosa county is hereby composed of precincts one, two, and seventeen; Second county board of education district is composed of precincts three, four, five, and sixteen; third county board of education district is composed of precincts six, seven, ten, and nineteen; the fourth county board of education districts is composed

of precincts eight, nine, fifteen, and eighteen; and the fifth county board of education district is composed of precincts eleven, twelve, thirteen and fourteen. Should there be any change in the precincts in area or otherwise, then the several county board of education districts of the county shall be composed of the territory now embraced in each of said district as defined in this act.

Section 3. There shall be elected a member of the county board of education of Coosa county, Alabama, from districts numbers one, two and four of said county at the general election, 1930. There shall be nominated and elected from county education board districts three and five of said county a member of the county board of education of said county, at the general election of 1932. The terms of office of each of said members of the county board of education of Coosa county, Alabama, thus elected, shall be six years and until their successors are elected and qualified.

Section 4. At the general election of 1928 there shall be elected two members of the County Board of Education of Coosa County, from the County at large, and shall hold office only until the general election of 1930 or until their successors are elected and qualified. It being the purpose and aim of this act for the members of the present County Board of Education together with the two members provided for in this section to constitute the County Board of Education of Coosa County, Ala., until the general of 1930, when the three members elected from District one, two and four shall assume and take over the offices of the County Board of Education together with the two members whose term expires in 1932, now members of the County Board of Education, and who shall serve in Districts numbers three and five until their present term of office expires.

Section 5. The several members of the county board of education of Coosa county, provided under this act, shall be elected by the qualified electors of the county as other county officers are now elected. Nominations for the county board of education may be made in any manner now provided or that may hereafter be provided, by law for the nomination of county candidates for office by the qualified voters of any political party in said county.

Section 6. The duties and powers of the county board of education of Coosa county, under this act elected, shall be and remain as those now provided by general laws of this state, provided, however, that any local or special laws for Coosa county now adopted or that may hereafter be enacted, shall be and remain in full force and effect relative to the objects herein enumerated.

Section 7. Should there occur any vacancy on the county board of education from any district, then the county board of education of Coosa county, shall have the power to elect a member of the county board of education, and power for that purpose is hereby conferred on the county board of education, to fill such vacancy, until the next general election when a member shall be elected to fill out the unexpired term of the party he was appointed to serve.

Section 8. Each member of the county board of education must be a bona fide citizen and qualified elector of the district he is elected to serve and during his term of office must so remain and any removal from the district shall cause the office to become vacant.

Section 9. Women are hereby made eligible to be elected and to serve on the county board of education of Coosa County, Alabama.

Section 10. Should any clause, section or part of section of this act be declared by any competent court unconstitutional then the remaining parts of this act shall be and remain in full force and effect.

Section 11. All laws, special, local or general in conflict with the provisions of this act, are hereby repealed.

STATE OF ALABAMA,
Coosa County.

Personally appeared before me, the undersigned authority in and for said County and State, Wallace P. Pruitt, who, first being duly sworn doth depose and say on oath:

That he is the owner, publisher and editor of The Rockford Chronicle, a weekly newspaper published and printed in Coosa County, Alabama; that the attached notice of a Local Bill was published in four consecutive issues of said newspaper being the issues bearing dates of May 19th, 26th, June 2nd and 9th, 1927.

Wallace P. Pruitt.

Subscribed and sworn to before me this the 10th day of June, 1927.

Geo. B. McDonald,
Judge of Probate, Coosa County, Alabama.

Also:

By Mr. St. John:

H. 553. To amend Sec. 3 of an Act to provide for the establishment, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, and defining its powers, jurisdiction and duties.

With notice and proof attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced and passed at the present session of the Legislature of Alabama.

S. J. Griffin,
Judge of Probate.

A BILL

To be entitled: An Act to amend Sec. 3 of an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, and defining its powers, jurisdiction and duties.

Be it enacted by the Legislature of Alabama:

Sec. 1. That Sec. 3 of an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, and defining its powers, jurisdiction and duties, be and the same hereby is amended so as to read as follows:

"Section 3. The said Highway Commission shall hold regular meetings at such times as may be fixed by the Commission, and such other special meetings as the road business of the county may require, such special meetings to be called by the chairman on sufficient notice to the associate members.

The affirmative votes of two members of said Highway Commission shall be sufficient to decide any question coming before said Highway Commission for decision. Such Commission, as soon after the appointment and qualification of members thereof as practicable, shall divide said county into as many road districts as in the discretion of the Commission is necessary—not less than five, nor more than seven districts—and the said Commission is hereby authorized and empowered to employ a district road su-

pervisor for each of the said districts to supervise all construction and maintenance of the roads and bridges of his district, and shall fix his duties and compensation, and may discharge such supervisor at their discretion and employ other supervisors. Such supervisors may be employed for such time as in the judgment of said Commission is necessary to the proper construction and maintenance of the roads and bridges of the county. Such Commission shall also have power and authority to employ such other labor and teams as may be necessary for the construction, maintenance and improvements of the roads and bridges in such county, and to buy machinery, tools, implements, books, receipt books, records and stationery to be used by said commission, and other necessary equipment and road material which, in their judgment, is necessary for use on the public roads and bridges of said county, and to provide for the necessary sheltering and housing of the same and to pay all necessary expenses incurred by said commission, or any member thereof, in performing the duties imposed by this Act.

Said commission shall have authority, when it deems it necessary, to employ an engineer on such terms and for such time as is necessary in the location or change of any public road in the county, and to pay him for his services out of the road and bridge fund of the county.

Such commission shall have exclusive jurisdiction and control over the expenditure of all road and bridge funds in said county from whatever source obtained, and shall pay the same out upon warrants issued by the chairman of said commission after having been authorized by the vote of two or more members of the said commission; and the treasurer of said county, or other custodian of the public funds of said county, shall pay the warrants so drawn, upon their presentation, out of the road and bridge funds of said county.

Said commission shall also have the power and authority to employ a clerk of said commission, whose duty shall be to keep a true and correct record of the proceedings of said commission, as required by law of courts of county commissioners as to proceedings with reference to public roads and bridges, and of the receipts and disbursements thereof, and to keep a record of all tools, machinery and implements and road material and a list of road hands in such districts and the names of all roads in the county; and shall perform such other duties as may be required of him by the said commission.

Said clerk shall receive a salary not exceeding $125.00 per month, to be paid out of the general or road fund of the county on warrant issued by the Judge of Probate.

Each of the road supervisors hereinbefore provided for shall make a true and correct itemized report of all work done in his district, and of the condition of the roads and bridges in his district, the labor employed, and a true and correct statement of the amount due each laborer for work, and all other expenses in connection with the road work in his district at the end of each month, which shall be audited by said commission; and, if found correct, the commission shall order a warrant drawn in favor of the person to whom any money is due for the amount so due.

No warrant shall be drawn for the payment of any claim against the road funds of said county except upon a duly itemized, verified account thereof being filed with said Highway Commission and duly audited and allowed by said commission."

The State of Alabama,

Cullman, Alabama.

Before me, Judge S. J. Griffin, a Judge of Probate in and for said County and State, personally appeared Joseph R. Rosson, publisher of The Cullman Democrat, a weekly newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says, that the notice of which the attached

is a true copy, was published in said newspaper, once a week, for four successive weeks and being in the issues of the said newspaper of the following dates, viz.: Jan. 27, Feb. 2, Feb. 10, and Feb. 17.

Mrs. J. R. Rosson,
Publisher.

Sworn to and subscribed before me this the 14 day of March, 1927.

S. J. Griffin,
Judge of Probate.

Also:

By Mr. Parish:

H. 594. To make it lawful for any person or persons to use fish traps with fingers or slats not less than one and one-half inches apart for the purpose of taking or catching fish in the Choctawhatchee River, in the Big Abby Creek, in the Blackwoods Creek, Omercer Creek, or any part of said streams that lie within Henry County, Alabama, and to further regulate the operation of such traps.

With notice and proof attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama, at the session which reconvened on June 7, 1927, to pass a bill which shall be substantially as follows:

A BILL

To be entitled An Act to make it lawful for any person or persons to use fish traps with fingers or slats not less than one and one-half inches apart for the purpose of taking or catching fish in the Choctawhatchee River, in the Big Abby Creek, in the Blackwoods Creek, in the Omercer Creek, or in any part of said streams that lie within Henry County, Alabama, and to further regulate the operation of such traps.

J. A. Parrish,
Member of the Legislature

STATE OF ALABAMA,
Henry County.

Personally appeared before me J. P. Mitchell, who being sworn, says that he is the editor of the Wiregrass Farmer, a weekly paper published at Headland, in said State and County; that the attached notice was published for four weeks in said paper.

J. P. Mitchell.

Witness my hand this the 13th day of June, 1927.

Dan Campbell,
Notary Public.

Also:

By Mr. Thompson:

H. 355. To fix and determine the boundary line of that portion of the city of Gadsden, Alabama, that lies east of the Coosa River and to incorporate within the corporate limits of the city of Gadsden the territory bounded by said line and the east bank of the Coosa River.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that an Act will be introduced at the coming session of the Legislature of Alabama to define and describe the boundaries of the corporate limits of that portion of the City of Gadsden lying east of the west bank of the Coosa river as the same flows through said city.

This 24th day of December, 1926.

O. J. Stocks,
Mayor.

State of Alabama,
Elmore County.

Personally appeared before me, Joe F. Duke, a notary public in and for said County and State, J. O. Powell, President and Publisher of The Gadsden Evening Star, a newspaper published in Etowah County, Alabama, who makes oath and says that a notice hereto attached, marked Exhibit A, was published in the said The Gadsden Evening Star once a week for four consecutive weeks, commencing on the 24th day of December, 1926.

J. O. Powell,
President Gadsden Evening Star.

Subscribed to and sworn before me on this the 4 day of June, 1927.

(Seal) Joe F. Duke,
Notary Public.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 566 and 553 to the Committee on Local Legislation.

H. 612 To the Committee on Judiciary.

H. 593 and 589 to the Committee on Education.

H. 594 To the Committee on Fish, Game and Forestry.

H. 355 To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested:

H. J. R. 76. Relative to the appointment of a joint committee to read and revise the manuscript of the Agricultlural Code prepared by Hon. Harwell G. Davis, and to prescribe its powers and duties and to fix the compensation of the committee and clerk and provide for their pay.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 58. Relative to expressing the hope of the members of the Legislature to Will Rogers that he shall soon be restored to health.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 59. Relative to the adjournment of the two Houses until Friday, July 8, 1927, at 10 o'clock A. M.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

BILL TEMPORARILY POSTPONED

On motion of Mr. Cowan, the further consideration of the bill:

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

Was postponed until the Thirty-first Legislative Day.

BILLS ON THIRD READING

The Bill:

S. 275. To prohibit the selling or buying of malt syrup or malt extract, except upon compliance with the terms and conditions set out in this Act; to require every seller of malt syrup or malt extract to file with the Probate Judge of the County where each sale is made the affidavit to be made by purchaser, all such affidavits to be filed once each three months, and to be kept for public inspection for one year after filing; to provide that the making of any false statement in such required affi-

davits shall constitute perjury; and to fix penalties for violations of this Act.

Was taken up.

Mr. Bonner offered the following amendment to said bill to-wit:

Amend Senate Bill No. 275 by striking from Section one thereof the following clause, namely:

"No sale shall be made except in quantities of more than one hundred pounds each."

Which was adopted.

Yeas, 22; Nays, 0.

Yeas:
Messrs.:

Bonner	Craft	Jackson	Mitchell
Bradford	Ellis of Dallas	James	Nolen
Brown	Fite	Jones	Oliver
Caffey	Hall	Justice	Warren
Carlton	Holmes	Loflin	Williams
Cowan	Jack		

—22

Nays:—None.

Mr. Craft offered the following amendment to said bill to-wit:

Amend Senate Bill No. 275 to sell or buy Corn, Honey, or Malt, Barley, Wheat, Molasses or Sugar Cane.

Which was, on motion of Mr. Bonner, laid upon the table.

Yeas, 27; Nays, 1.

Yeas:
Messrs:

Bonner	Fite	Jones	Stanley
Brown	Hall	Justice	Walker
Caffey	Hines	Loflin	Walton
Carlton	Holmes	Mitchell	Warren
Cowan	Jack	Nixon	Williams
Ellis of Dallas	Jackson	Nolen	Young
Ellis of Shelby	James	Oliver	

—27

Nay:—Mr. Craft.—1.

And said bill, as thus amended, was then read a third time at length and passed.

Yeas, 19; Nays, 12.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stanley
Bradford	Fite	Loflin	Walton
Brown	Hall	Nixon	Warren
Caffey	Hines	Nolen	Young
Cowan	Jack	Oliver	

—19

Nays:
Messrs.:

Carlton	Ellis of Dallas	James	Stokes
Craft	Holmes	Justice	Teasley
Edgar	Jackson	Mitchell	Walker

—12

The Bill:

S. 219. To amend Section 4622 of the Code of Alabama 1923.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jackson	Oliver
Bradford	Ellis of Dallas	James	Walker
Brown	Ellis of Shelby	Jones	Warren
Caffey	Fite	Loflin	Williams
Carlton	Holmes	Mitchell	Young
Cowan	Jack	Nixon	

—23

Nays:—None.

The Bill:

S. 204. To prohibit the having in possession or transporting five gallons or more of any of the liquors or beverages the sale or possession or transportation of which is now prohibited by law in Alabama, and to fix penalty therefor.

Was taken up.

Mr. Young offered the following substitute for said bill to-wit:

SUBSTITUTE FOR SENATE BILL NO. 204

A Bill to be entitled an act to prohibit the transportation of any of the liquors or beverages, the sale or possession, or transportation of which is now prohibited by law in Alabama, in quantities of five gallons or more, and to fix a penalty therefor.

Be it Enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person, firm or corporation, or association within this State to transport in quantities of five gallons or more any of the liquors or beverages the sale, possession or transportation of which is now prohibited by law in Alabama. Any of the above persons who may be convicted for violating this Act shall be guilty of a felony, and upon conviction, shall be imprisoned in the penitentiary of this State for a period of not less than one year, nor more than five years.

Section 2. This Act shall not be so construed as to affect or repeal any of the prohibition laws of this State, except in so far as they conflict with this Act.

Which was adopted.

Yeas, 19; Nays, 3.

Yeas:
Messrs.:

Bonner	Cowan	Hall	Walker	
Bradford	Craft	Jack	Warren	
Brown	Edgar	Jones	Williams	
Caffey	Ellis of Dallas	Loflin	Young	
Carlton	Fite	Oliver		—19

Nays:
Messrs:

Holmes	Justice	Mitchell	—3

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 18; Nays, 10.

Yeas:
Messrs.:

Bonner	Cowan	Loflin	Stanley	
Bradford	Fite	Nixon	Teasley	
Brown	Hall	Nolen	Warren	
Caffey	Jack	Oliver	Young	
Carlton	Jones			—18

Nays:
Messrs.:

Craft	Holmes	Mitchell	Walker	
Ellis of Dallas	James	Stokes	Williams	
Ellis of Shelby	Justice			—10

The Bill:

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

Was read a third time at length and passed.

Yeas, 18; Nays, 9.

Yeas:
Messrs.:

Bonner	Fite	Jones	Teasley	
Bradford	Hall	Loflin	Walton	
Brown	Hines	Nixon	Warren	
Caffey	Jack	Stanley	Young	
Ellis of Shelby	Jackson			—18

Nays:
Messrs.:

Carlton	James	Mitchell	Stokes	
Cowan	Justice	Oliver	Walker	
Edgar				—9

The Bill:

H. 362. To repeal an Act entitled an Act to provide for the working of all male inhabitants of Houston County, Alabama,

between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said County; and to provide and fix penalties for the violation of the provisions of this act, approved February 21, 1927.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

H. 376. To provide for the appointment of deputy clerks for the Inferior Criminal Court of Mobile County: To prescribe the duties and fix the compensation and salary of such deputy clerks.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

H. 358. To fix and regulate the fees of State witnesses in criminal cases in the Law and Equity Court and Circuit Court of Franklin County, Alabama, and before the Grand Jury of said County, and to provide for the payment thereof, and to

provide for the collection of witness fees from defendants convicted and for the disposition of the same.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

H. 356. To establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County Alabama to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

H. 350. To provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the grand jury.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		—30

Nays:—None.

The Bill:

H. 320. To fix the salary of the deputy solicitor of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		—30

Nays:—None.

The Bill:

H. 292. To fix the salary of the Deputy Solicitor of Geneva County, Alabama, and provide for the manner of the payment of the same.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		—30

Nays:—None.

The Bill:

H. 36. To amend Section 1 of an Act entitled "An Act, to provide for the election of a solicitor for each judicial circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation", approved September 25, 1915.

Was read a third time at length and passed.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

The Bill:

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the school code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars $100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Carlton	Edgar	Fite
Brown	Cowan	Ellis of Dallas	Hall
Caffey	Craft	Ellis of Shelby	Hines

Jack	Justice	Stanley	Warren	
Jackson	Nixon	Stokes	Williams	
James	Nolen	Walton	Young	
Jones	Oliver			—26

Nays:—None.

The Bill:

S. 329. To authorize the Town Council of the Town of Vincent, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:				
Messrs:				
Bonner	Ellis of Dallas	Justice	Stokes	
Bradford	Ellis of Shelby	Loflin	Teasley	
Brown	Fite	Mitchell	Walker	
Caffey	Hall	Nixon	Walton	
Carlton	Hines	Nolen	Warren	
Cowan	Holmes	Oliver	Williams	
Craft	James	Stanley	Young	
Edgar	Jones			—30

Nays:—None.

The Bill:

S. 315. To amend Section 16 of an Act approved September 25, 1915, entitled: "An Act to provide for the government by a commission of all cities in Alabama, which now have or which may hereafter have a population of one hundred thousand people or more, according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government and to repeal all laws and parts of laws in conflict with the provisions of this Act;" as amended by an Act approved August 15, 1923, entitled: An Act "To amend an Act approved September 25th, 1915; entitled: 'An Act to provide for the government by a commission of all cities in Alabama which now have or which may hereafter have a population of one hundred thousand people, or more, according to the last Federal census or any such census which

may hereafter be taken, when such cities by an election adopt the provisions of this Act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this Act;' and to provide for the going into effect of the various sections of said Act as amended"

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Justice	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Mitchell	Walker
Caffey	Hall	Nixon	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	James	Stanley	Young
Edgar	Jones		

—30

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 678. To amend Section 10362 of the Code of Alabama of 1923.

Also:

By Mr. Merrill:

H. 679. To amend Section 10361 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committee as follows:

H. 678 and 679 to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Howard:

H. 547. To amend an Act entitled an Act to establish an Inferior Court for the County of Autauga, approved September 26th, 1923, and to further provide for the payment of witnesses in attendance upon said Court, and to further provide for the payment of the Clerk and Sheriff for services rendered in cases nol prossed and in cases where the defendant is found not guilty. And to provide for distribution of the Inferior Court Funds.

With notice and proof attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama of 1927, for the passage of an Act of which the following is the substance:

"AN ACT

An Act to amend an Act entitled An Act to establish an Inferior Court for the County of Autauga, approved September 28th, 1923, and to further provide for the payment of witnesses in attendance upon said Court, and to further provide for the payment of the clerk and sheriff for services rendered in cases nol prossed and in cases where the defendant is found not guilty. And to provide for distribution of the Inferior Court funds.

That Section 2 of said Act be amended so as to read as follows:

Section 2. Said Court and the Judge thereof shall have and exercise all jurisdiction now conferred or which may hereafter be conferred on Justices of the Peace in civil cases, and in addition thereto shall have and exercise concurrent jurisdiction in all civil cases with the Circuit Court, where the amount does not exceed the sum of one hundred dollars ($100.00). And in criminal cases the said court and the judge thereof shall have and exercise concurrent jurisdiction with the several county courts of the State in all misdemeanor cases.

That Section 3 of said Act be amended so as to read as follows:

Section 3. That in addition to the jurisdiction above conferred, said Court and the Judge thereof shall exercise the same preliminary hearings in felony cases as are now, or may hereafter be conferred upon the Justices of the Peace in the State of Alabama.

That Section 4 of said Act be amended so as to read as follows:

Section 4. That said Court shall conform to and be governed by the rules of practice and procedure that now, or hereafter, may be applicable to Justices of the Peace in civil cases, and in criminal cases said court shall be governed by the same rules of practice and procedure as may now or hereafter govern or be applicable to the several county courts of Alabama.

That Section 10 of said Act be amended so as to read as follows:

Section 10. Appeals in all civil cases may be taken from said Court in the same manner as appeals are now taken from the Justice Court to the

Circuit Courts of this State and are there tried de novo. And appeals from said court in criminal cases may be taken in the same manner as appeals are now taken from the several county courts of this State to the Circuit Courts of this State and are there tried de novo.

That Section 15 of said Act be amended so as to read as follows:

Section 15. The fees and costs in all civil cases in said court shall be the same as now allowed in the Justice of the Peace courts in this State, except as otherwise herein provided, and shall be collected and paid out in the same manner as fees and costs are now collected and paid out in Justice of the Peace courts in this State, and all such fees and costs when so collected shall be paid to the Clerk of this Court as compensation for his services rendered therein. And in addition to the fees and costs herein provided for the clerk for his services, the sheriff shall be entitled to the same fees as are now allowed by law to the sheriff in this State for his services rendered in serving processes issued out of the Justice of the Peace Court, and when collected shall be retained by such sheriff as compensation for his services rendered. And in all criminal cases the clerk and the sheriff shall be entitled to the same fees and costs as are now or hereafter may be allowed to the clerks and sheriffs for services rendered in the several county courts of the State. And in addition to the fees already provided, the sheriff shall receive the sum of two dollars ($2.00) per day for his attendance on said court, which shall be paid out of the Inferior Court Fund upon the warrant of the judge of said court drawn upon said Inferior Court Fund. All fines and forfeitures collected by the judge of said court shall be by him paid to the County Custodian of said County of Autauga who is hereby designated as the custodian of said Inferior Court Fund, and must be kept by him separate and apart from any other county funds.

That Section 17½ be added to this Act, which shall read as follows:

Section 17½. That in all civil cases in said court witnesses who are summoned and attend said court shall be entitled to the same fees as witnesses are entitled for attending the Justice of the Peace Court in this State, and shall be paid in same manner as witnesses are now paid in other civil cases. And that all witnesses in criminal cases who are summoned and attend said court shall be entitled to the same fees and mileage as witnesses are entitled who attend the several county courts of the State; provided, that in all cases where the defendant is acquitted, discharged, or the case is nol prossed, witnesses who are entitled to pay as such shall be paid out of the Inferior Court Fund upon the presentation of their witness certificates duly certified by the Clerk of this Court. Provided further, that in all cases in said court where the State fails to convict, or is nol prossed, abated, or the State withdraws the prosecution, the fees of the sheriff and the clerk shall be paid out of the Inferior Court Funds of said county, but the sheriff and clerk must make affidavit before the Judge of Probate of the amount due them, and the right of the Sheriff and the Clerk to such payment of such fees shall be postponed to the right of State witnesses.

That Section 17¾ be added to said Act, which shall read as follows:

Section 17¾. That on the first Monday in January of each year the custodian of said Inferior Court Fund shall pay into the fine and forfeiture fund of Autauga County all moneys on hand to the credit of such Inferior Court Fund in excess of one thousand dollars ($1,000.00)."

The State of Alabama,
Autauga County.

Before me, the undersigned authority in and for said County and State, personally appeared H. M. Doster who, being first duly and legally sworn, deposes and says on oath, that he is the publisher of The Prattville Progress, a newspaper published at Prattville, in said County and State, and that the annexed published proposed bill to be introduced at the present session of

the Legislature of Alabama has been published in said newspaper on the 12th, 19th, 26th days of May and on the 2nd day of June, 1927, being once a week for four consecutive weeks, in said newspaper.

H. M. Doster,
Publisher.

Sworn to and subscribed before me, this the 10th day of June, 1927.

Douglas Booth,
Notary Public, Autauga County, Ala.

Also:

By Mr. Howard:

H. 548. For the Relief of D. B. Chambliss, Former Sheriff of Autauga County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama of 1927, for the passage of an Act of which the following is the substance:

"AN ACT

For the relief of D. B. Chambliss, former Sheriff of Autauga County, Alabama.

Whereas, D. B. Chambliss, formerly Sheriff of Autauga County, Alabama, holds certain claims for services performed as such Sheriff for the Inferior Court of Autauga County, Alabama, in cases in which the State failed to convict, and in cases in which the State took a nol pros or were abated or the prosecution withdrawn by the State and which said claims have not been paid and are based on certain services rendered by him in his official capacity while holding the aforesaid office. And,

Whereas, the Act creating the Inferior Court of Autauga County, Alabama, failed to make any provision for the payment of such claims and services. And,

Whereas, it appears that said claims are for services performed in the regular discharge of his duties as such sheriff, and were rendered since the 26th day of September, 1923, and amount to the sum of two thousand, three hundred and fifty-eight dollars ($2,358.00). And,

Whereas, it appears that said D. B. Chambliss as Sheriff of said County has performed said services for said Inferior Court and has earned the sum of two thousand, three hundred and fifty-eight dollars ($2,358.00), in cases that were nol prossed, abated or the State failed to convict or withdrew the prosecution. Therefore,

Be it enacted by the Legislature of Alabama:

Section 1. That out of any funds in the Inferior Court Funds of Autauga County, Alabama, not otherwise appropriated, there is hereby appropriated two thousand, three hundred and fifty-eight dollars ($2,358.00) for the relief of D. B. Chambliss, former Sheriff of Autauga County, Alabama for services rendered for the Inferior Court of Autauga County, Alabama, as such Sheriff to pay for the services that were performed by him while acting as such Sheriff under the orders of such Inferior Court in cases in which were nol prossed, abated or the State failed to convict or withdrew the prosecution.

Section 2. Immediately after the passage of this Act and its approval by the Governor, the County Custodian of Autauga County, Alabama, is

hereby authorized, and directed to pay to said D. B. Chambliss, former sheriff of Autauga County, Alabama, the sum of two thousand, three hundred and fifty-eight dollars ($2,358.00) out of any money in the Inferior Court Funds of Autauga County, Alabama, not otherwise appropriated, for his relief for and on account of the services and costs hereinabove mentioned."

The State of Alabama,
Autauga County.

Before me, the undersigned authority, this day personally appeared H. M. Doster, who being by me first duly sworn, says, I am publisher of The Prattville Progress, a newspaper published in Prattville, Autauga County, Alabama, and that the foregoing and above notice of the bill to be introduced in the present session of the Legislature of Alabama for the relief of D. B. Chambliss, former sheriff of Autauga County has been published in said newspaper for four (4) consecutive weeks, said notice appeared in the issues of May 12th, May 19th, May 26th, and June 2nd, 1927 of said paper.

H. M. Doster.

Sworn to and subscribed before me, this June 9th, 1927.

C. E. Alexander,
Notary Public, Autauga County, Ala.

Also:

By Mr. Howard:

H. 549. For the Relief of R. P. Barnes, Clerk of the Inferior Court of Autauga County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that there will be introduced in the present session of the Legislature of Alabama when said Legislature reconvenes an Act entitled "An Act for the relief of R. P. Barnes, as Clerk of the Inferior Court of Autauga County, Alabama." Said Act provided for the relief of the said R. P. Barnes, as such Clerk of said Inferior Court of Autauga County in the sum of five hundred and forty-four dollars and twenty cents ($544.20) said sum being due the said Barnes for his services rendered in said Inferior Court of Autauga County, as the clerk thereof since September 26, 1923, in criminal cases which were nol prossed, dismissed and tried and acquitted. And to further direct the Custodian of Autauga County to pay to the said R. P. Barnes the sum of five hundred and forty-four dollars and twenty cents ($544.20) out of the Inferior Court Fund and such payment to be immediately made upon the approval of this Act.

The State of Alabama,
Autauga County.

Before me, the undersigned authority, this day personally appeared H. M. Doster, who being by me first duly sworn deposes and says,—I am the publisher of the Prattville Progress, a newspaper published in Prattville, Autauga County, Alabama, and that the above and foregoing notice of the application for the introduction of the bill for the relief of R. P. Barnes was published in said paper for four (4) consecutive weeks, the said notice ap-

pearing in the issues of May 12th, May 19th, and June 2nd, 1927, of said paper.

H. M. Doster.

Sworn to and subscribed before me, this June 13th, 1927.

E. Guy Reid,
Notary Public, Autauga Co., Ala.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 547 To the Committee on Judiciary.

H. 548 and 549 To the Committee on Local Legislation.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill and Resolution with the original bill and Resolution respectively, and find same correctly enrolled, to-wit:

S. J. R. 56: Relative to the Legislature requesting the Supreme Court for an advisory opinion as to the constitutionality of Senate Bill 312.

S. 46. To establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, to define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerks and Officers of said Court, the payment of their salaries and the manner of their appointment and election.

H. M. Caffey,
Chairman.

SIGNING OF BILL AND RESOLUTION.

The President of the Senate in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Resolution;

the title of which are set out in the foregoing Report from Committee on Enrolled Bills:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Stephens:

H. J. R. 81. Whereas, the attention of the House of Representatives of the State of Alabama has been called to the brutal beating of a nineteen year old orphan near Oneonta, in Blount County, Alabama, by a masked and robed mob, whose identity it has been difficult to establish; and,

Whereas, Such cowardly and brutal assaults on any American citizen, especially an unarmed man, constitutes a real menace to the further maintenance of our institutions and to the protection of the life and liberty of our citizens guaranteed by the Constitution of the United States and by the Constitution of the State of Alabama, and,

Whereas, it is only by the most vigorous prosecution of the perpetrators of this crime, and the bringing to justice and the meting out of proper punishment to these cowardly assailants that the fair name of Alabama and of Blount County can remain untarnished; and,

Whereas, the Honorable Bibb Graves, Governor of the State of Alabama, has issued orders that four State Law Enforcement Officers be dispatched to the scene of the crime in order that a full and complete investigation may be had and the perpetrators of this brutality be brought to justice;

Now, Therefore, Be it Resolved by the House of Representatives, the Senate concurring, that we commend the action of the Honorable Bibb Graves, Governor of the State of Alabama, in attempting to bring to justice the cowardly assailants of Jeff Callaway:

Be it further Resolved, that the Legislature of Alabama does hereby request the Honorable Bibb Graves and the Honorable Charlie C. McCall, Governor and Attorney General respectively of the State of Alabama to continue a relentless, thorough and vigorous handling of this deplorable situation to the end that the perpetrators of this cruel outrage upon an unarmed orphan, nineteen years of age be speedlily brought to justice and punished;

Be it Further Resolved that the Legislature of the State of Alabama does hereby pledge to the Law Enforcement Agencies of the State its fullest co-operation in the bringing to justice and

the meting out of proper and adequate punishment to the parties composing this mob.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 81, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Bill:

H. 75. To provide for the restoration to the pension rolls of the State of the names of Confederate Soldiers and Sailors or the widows of such persons, where such names have been dropped from said rolls since January 1st, 1922 on account of absence from the State for more than a year, where such soldier or sailor or widow of such person is a bona fide resident citizen of this State at the time of making application for restoration.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session has carefully examined the Journal of the Senate for the 28th legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 28th legislative day was approved by the Senate.

ADJOURNMENT

At 5:10 P. M., on motion of Mr. Bradford and pursuant to resolution heretofore adopted, the Senate adjourned until Friday morning, July 8th, at 10 o'clock.

TWENTY-NINTH DAY

Friday, July 8, 1927.

The Senate met pursuant to adjournment, Lieutent Governor Davis presiding.

PRAYER

By Representative Rivers, Member of the House.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Loflin	Teasley
Brown	Hall	Mitchell	Thompson
Caffey	Hines	Moore	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	Jones	Stanley	Young
Ellis of Dallas			

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JOURNAL

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fite:

S. 346. To amend Section 2 of Article 7 of An Act to provide a general system of legislation pertaining to agriculture and industries, and related subjects, including therein: the establishment of a Department of Agriculture and Industries; a State Board of Agriculture; the abolishment of the Board of Agriculture as provided by an Act approved February 11, 1911, and known as the Board of Agriculture; the abolishment of the Board provided for by Chapter 24 of the Code of 1907, as subsequently amended and known as the State Board of Horticulture; and the abolishment of a Board provided for by Article 4 of Chapter 22 of the Code of 1907, as subsequently amended and known as the State Livestock Sanitary Board; the transfer of all the powers and duties vested in and required to be per-

formed by the said Boards abolished, and of any unexpended balance of fees or appropriations to the said Board created in this Act; the prescribing of the powers and duties of the Commissioner of Agriculture and Industries, and of the State Board of Agriculture and including ample provisions governing and regulating the subjects of fertilizers and fertilizer materials; limestone; white lead or paints, linseed oil, and turpentine, kerosene and other illuminating oils; insecticides and fungicides; commercial feeds; agricultural seeds; eggs, vinegar; sausage, imitation butter and cheese; milk, cream, ice cream and other dairy products, and the premises thereof; foods and drugs; corn meal mills and millers; bees and honey weights and measures, and the legal weights of certain commodities; public gins; cotton; cotton standards and public cotton classers; public warehouses; uniform laws of warehouse receipts; horticultural and floracultural products; trees, fruit trees, seeds, plants and vines as to name, variety and kind; citrus fruits; sale of farm products by the purchaser; standards for agricultural products and their containers; standards for grain; livestock; livestock pedigrees, estrays, the sale of farm produce on commission; the leveeing ditching, and draining of wet, swamp and overflowed lands the purchase and support of experimental farms by counties; the approval and support of county agents; the establishment of an Agricultural Fund in the State Treasury out of the sums accruing from the operation of the provisions of this act, and the appropriations from said fund, for the support of these provisions; and the repeal of all laws and parts of laws in conflict with the provisions of this Act. Approved September 27, 1923.

Agriculture.

By Mr. Fite:

S. 347. To provide for the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

Revision of Laws.

By Mr. Holmes:

S. 348. To permit, within the existing corporate limits of cities of not less than 60,000 nor more than 100,000 population according to the Federal Census, as sugar refinery to make or to manufacture, as a by-product of and in such plant, industrial alcohol or denatured alcohol for nonbeverage purposes, in order to conserve the materials used in or incident to the manufacturing process emyployed in such refinery; authorizing the Governor of Alabama, in his discretion, to issue permits therefor; fixing the conditions and regulations under which such alcohol may be manufactured, transported and sold, and requiring the

giving of a bond to the State for the faithful observance of conditions and regulations in the premises; defining the terms used in this Act; and declaring offenses against the Act and prescribing penalties for violations of this Act and providing for the supervision of its enforcement by the Governor of Alabama.

Temperance.

By Mr. Teasley:

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of eight hundred dollars out of the general funds of the county, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
Montgomery County.

Before me, T. A. Hardy, a Notary Public in and for said state and county, personally appeared H. C. Brown, who being by me duly sworn deposes and says that he is Circulation Manager for The Advertiser Company, publishers of The Montgomery Advertiser, and that the advertising of attached ad, (Mrs. A. Coke Smith) appeared in said publication on the following dates: June 7, 19, 21, 28, 1927.

Sworn to and subscribed before me this 5th day of July, 1927.

T. A. Hardy,
(Seal) Notary Public.

NOTICE

Notice is hereby given that a bill will be introduced in the session of the legislature convening on June 7, 1927, to require the board of revenue of Montgomery county to pay to Mrs. A. Coke Smith, the widow of A. Coke Smith, the sum of eight hundred dollars out of the general fund of said county. The said sum of eight hundred dollars being balance due A. Coke Smith, as clerk of the jury commission of Montgomery county for the years 1921, 1922 and 1923.

By Mr. Teasley:

S. 350. To further define Robbery and provide penalties therefor.

Judiciary.

By Mr. Teasley:

S. 351. To authorize Notaries Public who are stockholders, etc., of banks or other corporations to take affidavits and acknowledgements of written instruments and to protest for non-acceptance or non-payment negotiable instruments to which such banks or other corporations are parties or in which they are financially interested.

Banking and Insurance.

By Mr. Teasley:

S. 352. To declare the primary liability of makers and endorsers of negotiable instruments under certain circumstances, and to permit their joinder as parties defendant in actions at law on such instruments.

Banking and Insurance.

By Mr. Teasley:

S. 353. To amend Section 9023 of the Code of Alabama of 1923.

Banking and Insurance.

By Mr. Teasley:

S. 354. To further govern or to further regulate banks and the business of banking, (other than the business of banking under the laws of the United States) in the State of Alabama; to regulate the presentation and payment of checks: to further define existing powers and authority in the Banking Department and to confer additional powers and authority on the Banking Department of Alabama to examine the Trust Departments of State Banks: to amend Section 6275 of the Code of Alabama of 1923 creating the Banking Department of Alabama: to forbid loans or discounts to officers, examiners, agents or employees of the Banking Department of Alabama.

Banking and Insurance.

By Mr. Craft:

S. 355. To regulate the gasoline industry in Alabama; to regulate the fixing and charging of prices of gasoline at wholesale and retail and prescribing a method and procedure for determining at what prices gasoline dealers may sell gasoline in intra-state commerce and prohibit rebate and discrimination; to create and establish a division of the Alabama Public Service Commission to be known as Division of Motors and Motor fuels. fixing the duties of the Alabama Public Service Commission and of the Superintendent of such division with respect to the regulation of sale prices of gasoline; to provide for the issuance of permits to gasoline dealers under rules and regulations prescribed by the Commission; to provide penalties for the violation of the Act; to levy to and collect an additional tax on gasoline dealers; and authorize a judicial review and appeal to the orders of the Diviison of Motors and Motor Fuels, and the Alabama Public Service Commission; to provide for employment of persons to aid and assist the Alabama Public Service Commission in administering this Act and to provide for the payment of their salaries; to provide for additional compensation for the members of the Alabama Public Service Commission for their services in administering this Act; to make an appropriation for the expenses and salaries provided for in this Act.

Constitution, Constitutional R. & A.

By Mr. Fite (With N. & P.):

S. 356. To establish an inferior court in Precinct 42, lying within or partly within the city of Birmingham, Ala., in lieu of all Justices of the Peace heretofore created in Precinct 42 and to define the jurisdiction and power of said court and Judge and Clerk and other officers thereof, the salary of said officers, place of holding the same and the qualifications and compensation of the judge thereof.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that there will be introduced in the present session of the Alabama Legislature, the following bill:

AN ACT

To be entitled an Act, To establish an inferior court in precinct 42, lying within or partly within the city of Birmingham, Alabama, in lieu of all justices of peace in said precinct, and in lieu of all other inferior courts, in lieu of justices of peace, heretofore created in said territory, and to define the jurisdiction and power of the said court, and judge, clerk, and other officers thereof, the salary of said officers, the place of holding the same, and the qualifications and compensation of the judge thereof.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created and established an inferior court in precinct 42, lying within or partly within the city of Birmingham, Alabama, which shall be known and designated as the Municipal Court of North Birmingham, Alabama. The said court shall have all the powers and jurisdiction now conferred or that may be hereafter conferred by law on justices of peace; and the judge of said court shall exercise and have all the power and authority perform all the duties now prescribed, or that may hereafter be prescribed by law for justices of peace.

Section II. Be it further enacted that the Judge of said Court shall be appointed by the Governor within 15 days after the approval of this act and shall hold office until the first Monday after the second Tuesday in January, 1929, and until his successor is elected and qualified. That at the general election in 1928 and every four years thereafter, a successor is elected and qualified: That at the general election in 1928 and every four years thereafter, a successor shall be elected to said Judge by the qualified electors of said precinct, who shall hold office for the full term of four years, and until his successor is elected and qualified.

Section III. That all vacancies in the office of the judge of said court shall be filled by appointment of the judges of the courts of record of Jefferson County, Alabama, not including the Judge of the City Court of Bessemer.

Section V. That the judge of said court shall receive an annual salary of Thirty Six Hundred Dollars, payable monthly out of the county treasury upon his warrant drawn upon the county treasurer.

Section VI. That the judge of said court shall appoint a clerk of said court who shall give bond in the penal sum of Two Thousand Dollars, payable to the State of Alabama, and conditioned to faithfully discharge the

duties of his office, which bond shall be approved by and filed in the office of the Judge of Probate of Jefferson County, Alabama; also conditioned to pay over all moneys to the proper officers and persons to whom it is payable and to faithfully account for all moneys coming into his hands by virtue of his office and upon the said bond there shall be the same liabilities and remedies as upon a bond of a clerk of the Circuit Court; said Clerk shall receive an annual salary of Twenty Four Hundred Dollars, payable monthly out of the county treasury upon warrants drawn by him upon the county treasurer; the clerk of said court, should the business of said court justify it, shall have the authority to appoint a deputy clerk, with the consent of the judge of said court, who shall receive a salary of Eight Hundred and Forty Dollars per annum, payable monthly, upon his warrant drawn upon the county treasurer; and said deputy clerk shall be a male or female.

Section VII. That the clerk of said court shall issue all processes out of said court, except the warrants of arrest and writs of commitment, which shall be issued by the judge of said court; the clerk shall approve all bonds in civil cases; and he shall keep a docket of said court; shall certify all appeals and certioraries, but all judgments, when required to be signed, shall be signed by the judge of said court. The fees and costs that are now allowed by law to Justices of Peace, in Jefferson County, shall be taxed and collected as now provided by law, in such cases, as may hereafter be provided by law in such cases, and shall, by the clerk of said court, be paid into the county treasury. The constable of said precinct and the sheriff of said county, shall be officers of said court and shall execute all processes from said court and make due returns thereof, and for their compensation shall receive the same fees as now provided by law for like services in the Courts of Justice of Peace in Jefferson County, which fees shall be paid to the constable and sheriff and not into the county treasury.

Section VIII. That the judge of said court may punish for contempt in cases where the judge of the Circuit Court can punish for contempt by a fine not exceeding fifty dollars and by imprisonment not exceeding five days.

Section IX. That said court shall have no final jurisdiction of criminal cases, misdemeanors or other criminal process, nor shall said court have any jurisdiction as a committing magistrate in criminal cases of any nature.

Section X. That the law relating to appeals and certiorari in cases from courts of justices of peace shall apply to appeal and certiorari cases from the court established by the provisions of said act.

Section XI. That said court shall have, as against all justices of peace, and other inferior courts in lieu of justices of peace in said county, exclusive jurisdiction of civil cases defined as to amount and kind in section one of this act, where the defendant or defendants reside in precinct 42 of Jefferson County, except where the cause of action arose in or the contract sued on was made in the precinct of the residence of the justice attempting to exercise jurisdiction, or where one or more of the co-defendants resides in the precinct of said justice of peace or notary public. Any plaintiff, his agent or attorney, who institutes a suit against a defendant or defendants who resides in precinct 42 in Jefferson County, Alabama, before any justice of peace, notary public ex-officio justice of peace, or inferior courts created in lieu of justices of peace other than this court, of a precinct other than that in which the cause of action arose, or the contract was made, or of which one of the defendants is a resident, may be restrained by the judge from prosecuting said suit, and the judge of this court may issue a rule to said plaintiff, his agent, or attorney, to show cause why said suit, garnishment or other process alleged to have been brought in

violation of this section should not be dismissed and may upon a hearing of said rule, order the plaintiff, his agent or attorney, to dismiss said suit, garnishment or other process, if wrongfully instituted, and may punish for contempt the next disobedience of said order or orders. The plaintiff, his agent or attorney, shall have the right to appeal to the circuit court, or courts of like jurisdiction, from said order within five days from the rendition of the same, upon the execution of a bond to be fixed, in sum, by the court, not in excess of two hundred dollars, payable to the defendant and conditioned to pay the defendant all such damages as he may suffer by reason of the wrongful taking out of such appeal.

Section XII. That said court shall have jurisdiction in civil cases where the amount involved does not exceed one hundred dollars, except in cases of libel, slander, assault and battery, and ejectment.

Section XIII. That the owner of any judgment or decree for fifty dollars, or over, rendered by this court, may file the same in the office of the judge of probate under the same procedure and in the same manner as now provided or which may hereafter be provided for filing judgments of courts of record, which judgment, when so filed and recorded, shall be a lien upon all the property of the defendant when registered which is subject to levy and sale under execution; and such lien shall continue for six years from the date of registration, the registration of the judgment or decree shall be notice to all persons of the existence of a lien.

Section XIV. That said court shall be always open, except Sundays; that said court shall have power to set aside, vacate, or modify its judgments upon motion made within five days after the rendition of the same, which motion shall be promptly determined; and said court may hold court and render default or other judgments at any time between the hours of 9 o'clock A. M. and 6 o'clock P. M., and all processes of the said court where no time is otherwise fixed shall be returnable at nine thirty of the return day.

That it shall be the duty of the Board of Revenue of Jefferson County, Alabama, to select a suitable place that said court shall be held at all times within beat 42, Jefferson County, and it shall be the duty of the board of revenue of Jefferson County, Alabama, to select a suitable place for holding said court in said beat 42, and a suitable court room therein, at the expense of Jefferson County, Alabama, and also to provide all necessary dockets, books, and other supplies for the use of said court, and shall provide for the payment of the rent of the court room in case same is rented, and other incidental expenses.

Section XV. If the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, it shall be the duty of the judge of probate upon the request of said judge, or written notice of the clerk of said court, to appoint some suitable person, resident of said precinct, and qualified elector thereof, as special judge, or some practicing attorney, resident of the city of Birmingham, and qualified elector, as special judge, who shall perform all the duties imposed upon the judge of said court, during the illness, disqualification or inability of said judge, which said special judge shall receive the same compensation as the regular judge of said court.

Section XVI. In case of emergency, the judge of said court may appoint a suitable person to act as constable without bond, except as herein provided; and the person so appointed must perform the same duties and is liable to the same pains and penalties and is entitled to the same fee and compensation as regular constables; but such special constable is not authorized to levy or collect executions, attachments, or writs of detinue, unless prior to the levying or collecting of executions, attachments, or writs of detinue, he execute a bond in the sum of twice the amount of the value of the property to be levied on payable to the defendant as is re-

quired by Section ??? of the Code of Alabama of 1923, which sureties to be approved by the judge appointing such special constable.

Section XVII. The summons must be issued by the clerk of the court, and accompanied by the complaint of the plaintiff, or the cause of action endorsed on the summons setting forth the cause of action. The summons must be executed by the constable, special constable, sheriff or other officer by leaving a copy of the summons and complaint, or summons with the cause of action endorsed thereon, with the defendant, which fact he must return with the process.

Section XVIII. It shall be the duty of the clerk of said court to issue an execution on all judgments rendered in said court, after five days from the entry thereof, and place the same in the hands of the constable or sheriff who shall return the said execution within thirty days thereafter, said return to show that he has collected said judgment, and has paid the same or the amount collected or is unable to find property of the person against whom said process issued, out of which said execution can be satisfied in whole or in part.

Section XIX. That if it shall appear to the auditor in any case in said court where an execution has been returned unsatisfied, as to the costs of said cause, and in the opinion of the auditor said costs can be collected by an alias execution, the auditor may direct the clerk of the court to issue an alias execution, and may direct the sheriff or constable as to what property may be levied upon to satisfy said judgment.

Section XX. That in each cause filed in said court there shall be a fee of fifty cents taxed which shall be taxed and collected as other costs are collected, and shall with other costs be paid into the county treasury.

Section XXI. That all laws affecting or regulating the practice or procedure of courts of justice of peace shall be applicable to the court herein established.

Sec. XXII. That the judge of said court elected in the general election in 1928 and every succeeding judge of said court elected thereafter shall be a resident and qualified elector of Precinct 42.

Section XXIII. That all laws, general, special, or local in conflict with this Act be and the same are hereby repealed. That this Act shall take effect immediately after its approval by the Governor.

STATE OF ALABAMA,
Jefferson County.

Before me, Mrs. O. D. Tanner, a Notary Public, in and for the aforesaid county and state, personally appeared Will Smith, who being by me first duly sworn, deposes and says, on oath that he is publisher of The North Birmingham Star, a weekly newspaper published in Jefferson County, Alabama, and he further deposes and says that said newspaper is a newspaper of general circulation in Jefferson County, Alabama, and that the attached bill, or Local Bill for Legislative enactment was published for four consecutive weeks in said newspaper on the following respective dates, to-wit:

June 9, 1927:
June 16, 1927;
June 23, 1927;
June 30, 1927.

Will Smith,
Affiant and publisher of The North Birmingham Star.

Sworn to and subscribed before me on this the 5th day of July, 1927.

Mrs. O. D. Tanner,
(Seal) Notary Public.

REPORTS OF COMMITTEES

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young (N. & P.):

S. 334. To make it the duty of the Clerk of the Circuit Court of Lamar County, Alabama, as Ex-officio Clerk of the County Court, to record the proceedings and write up the minutes of the County Court and to provide for compensation of the same.

By Mr. Mitchell (By Request):

S. 343. To amend Sections 2341 and 2364 of the Code of Alabama, 1923.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite (Without Recommendation):

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper or unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Howard With (N. & P.):

H. 549. For the relief of R. P. Barnes, Clerk of the Inferior Court of Autauga County, Alabama.

By Mr. Howard (With N. & P.):

H. 548. For the relief of D. B. Chambliss, former Sheriff of Autauga County, Alabama.

By Mr. Edwards (With N. & P.):

H. 306. To prescribe the duties and fix the compensation of the Deputy Solicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

ORDER TO PRINT

On motion of Mr. Craft, 250 copies of the bill:

S. 355. To regulate the gasoline industry in Alabama; to regulate the fixing and charging of prices of gasoline at wholesale and retail and prescribing a method and procedure for de-

termining at what prices gasoline dealers may sell gasoline in intra-state commerce and prohibit rebate and discrimination; to create and establish a division of the Alabama Public Service Commission to be known as Division of Motors and Motor fuels. fixing the duties of the Alabama Public Service Commission and of the Superintendent of such division with respect to the regulation of sale prices of gasoline; to provide for the issuance of permits to gasoline dealers under rules and regulations prescribed by the Commission; to provide penalties for the violation of the Act; to levy to and collect an additional tax on gasoline dealers; and authorize a judicial review and appeal of the orders of the Division of Motors and Motor Fuels, and the Alabama Public Service Commission; to provide for employment of persons to aid and assist the Alabama Public Service Commission in administering this Act and to provide for the payment of their salaries; to provide for additional compensation for the members of the Alabama Public Service Commission for their services in administering this Act; to make an appropriation for the expenses and salaries provided for in this Act.

Were ordered printed for the use of the Senate.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 204. To prohibit the transportation of any of the liquors or beverages, the sale or possession, or transportation of which is now prohibited by law in Alabama, in quantities of five gallons or more, and to fix a penalty therefor.

S. 275. To prohibit the selling or buying of malt syrup or malt extract, except upon compliance with the terms and conditions set out in this Act; to require every seller of malt syrup or malt extract to file with the probate judge of the county where each sale is made the affidavit to be made by purchaser, all such affidavits to be filed once each three months, and to be kept for public inspection for one year after filing; to provide that the making of any false statement in such required affidavits shall constitute perjury; and to fix penalties for violations of this Act.

S. 219. To amend Section 4622 of the Code of Alabama 1923.

S. 296. To provide for the revision, codification, digesting and promulgation of the public statutes of Alabama relating to Education.

S. 215. To amend Section 4778 of the Code of Alabama, 1923.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Rules Committee:

H. J. R. 83. Resolved by the House, the Senate concurring, That when the two Houses adjourn today, they adjourn to meet Tuesday, July 12th, 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fite, the Senate concurred in and adopted H. J. R. 83, set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Tunstall:

H. 585. To make appropriation of three hundred thousand ($300,000.00) Dollars, or so much thereof as may be necessary out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 585 To the Committee on Finance and Taxation.

LEAVE OF ABSENCE

On motion of Mr. Ellis of Dallas, leave of absence was granted Mr. James for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all counties of the State of Alabama having a population of over 200,000 according to the last Federal census.

Also:

S. 119. For the relief of John B. Laseter, of Barbour County, Alabama.

Also:

S. 150. To amend Section 1063 of the Code "County Quarantine Officers; How appointed, Salary, Etc.

Also:

S. 151. To amend Section 10291 of the Code of Alabama of 1923.

And has originated and passed the following bills and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Denson:

H. 538. To authorize the issuance of contingent endowment contracts of insurance by life insurance companies and fraternal benefit societies; and to provide for the maintenance of reserves thereon.

Also:

By Mr. Hubbard:

H. 705. To amend Sections 9384, 9386, 9394, and 9396 and to repeal Sections 9392 and 9393 of the Code of Alabama, 1923, relating to limited partnerships.

Also:

By Mr. Beebe: (With notice and proof):

H. 642. To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of $55,000.00 for the purpose of constructing a highway in said County with bridges and ferries in conjunction with Mobile County, and all proceedings of said Court of County Commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill to be entitled, "An act to ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County in the amount of $55,000.00 for the purpose of constructing a highway in said county with bridges and ferries in conjunction with Mobile County, and all proceedings of said Court of County Commissioners relative to the issuance and sale of said bonds for the purpose of constructing said Highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County," will be introduced in the Legislature of Alabama, at its 1927 term, adjourned session. Said act is in words and figures as follows:

AN ACT

To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of $55,000.00 for the purpose of constructing a highway in said County with bridges and ferries in conjunction with Mobile County, and all proceedings of said Court of County Commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

Whereas, the Court of County Commissioners of Baldwin County, Alabama, at its November term in the year 1915, duly ordered an election to be held in the several voting places in said County on the eighteenth day of January, 1916, for the purpose of submitting to the voters of said county the question of issuing bonds in the amount of $55,000.00 for the purpose of constructing and maintaining a public highway with bridges and ferries in conjunction with Mobile County, to connect Baldwin County with Mobile County, Alabama, said bonds to bear a maximum rate of interest of five per centum per annum and to run for a period of thirty years and to be sold for not less than their face value; and,

WHEREAS, said election was held on the eighteenth day of January, 1916, after notice duly given; and,

Whereas, the ballots used at said election contained the words "For $55,000.00 Road Bond Issue" and "Against $55,000.00 Road Bond Issue" and a majority of the votes cast at said election, as shown by the returns thereof duly canvassed, were in favor of the issuance of said bonds; and,

Whereas, subsequent to the holding of said election it was found that the cost of constructing said Highway, bridges and ferries would greatly exceed the sum of $55,000.00 and that it would not be expedient to undertake said work at that time; and,

Whereas, it is now found to be expedient to construct and operate the proposed ferries, and the proposed bridge is now being constructed under an agreement which makes it unnecessary for the County of Baldwin to finance any part of the cost thereof with proceeds of bonds; and,

Whereas, it is necessary for Baldwin County to Construct the highway leading to said bridge as contemplated by the proposition submitted to the voters at the election above referred to; and,

Whereas, the Court of County Commissioners of said County has duly accepted an offer for the purchase of said bonds and desires to issue the same under date of December, 1926, maturing without option of prior payment thirty years after date, to bear interest at the rate of five per centum per annum, payable semi-annually; now, therefore,

Be it Enacted by the Legislature of Alabama:

Section 1. That all proceedings of the Court of County Commissioners of Baldwin County Alabama, relative to the calling and holding of an election in said county on the eighteenth day of January, 1916, and of the qualified voters at said election for the purpose of authorizing the issuance of bonds of said county for the purposes referred to in the preamble hereto, and all the proceeding of the Court of County Commissioners relative to the issuance and sale of said bonds for the purpose of raising funds to construct the said highway be and the same hereby are in all things ratified, confirmed, validated and made legally effective and binding and that when said bonds are duly executed and delivered in accordance with the award thereof heretofore made the same shall be valid and binding obligations of the County of Baldwin.

Section 2: This act shall go into effect immediately upon its passage and approval by the Governor, or upon its becoming a law without his approval.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Baldwin County.

R. B. Vail, being duly sworn, deposes and says that he is the Publisher of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of Notice of Bill to Validate $55,000.00 Bond Issue was published in said newspaper for 4 consecutive weeks in the following issues:

Date of first publication May 19, 1927, Vol. 38, No. 16.
Date of second publication, May 26, 1927, Vol, 38, No. 17.
Date of third publication, June 2, 1927, Vol. 38, No. 18.
Date of fourth publication, June 9, 1927, Vol. 38, No. 19.

Subscribed and sworn to before the undersigned this 20 day of June. 1927.

R. B. Vail,
Publisher.
H. M. Hall,
(Seal) Notary Public, Baldwin Co., Ala.

Also:

By Mr. Jordan of Etowah:

H. 681. To amend Section 1936 of the Code of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 538 To the Committee on Banking and Insurance.
H. 642. To the Committee on Local Legislation.
H. 681 and 705 To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 36. To amend Section 1 of an Act entitled "An Act, to provide for the election of a solicitor for each judicial circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation," approved September 25, 1915.

Also:

H. 75. To provide for the restoration to the pension rolls of the State of the names of Confederate Soldiers and Sailors, or the widows of such persons, where such names have been dropped from said rolls since January 1st, 1922 on account of absence from the State for more than a year, where such Soldier or Sailor or widow of such person is a bona fide resident citizen of this State at the time of making application for restoration.

Also:

H. 292. To fix the salary of the Deputy Solicitor of Geneva County, Alabama, and provide for the manner of the payment of the same.

Also:

H. 320. To fix the salary of the deputy solicitor of Elmore County, Alabama.

Also:

H. 350. To provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the grand jury.

Also:

H. 356. To establish a county court for Dekalb County Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama.

Also:

H. 358. To fix and regulate the fees of State witnesses in criminal cases in the Law and Equity Court and Circuit Court of Franklin County, Alabama, and before the Grand Jury of said County, and to provide for the payment thereof, and to provide

for the collection of witness fees from defendants convicted and for the disposition of the same.

Also:

H. 362. To repeal an Act entitled an Act to provide for the working of all male inhabitants of Houston County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said County; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said County; and to provide and fix penalties for the violation of the provisions of this act, approved February 21, 1927.

Also:

H. 376. To provide for the appointment of deputy clerks for the Inferior Criminal Court of Mobile County: To prescribe the duties and fix the compensation and salary of such deputy clerks.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 150. To amend Section 1063 of the Code "County Quarantine Officers; How appointed, Salary, Etc."

S. 119. For the relief of John B. Laseter, of Barbour County, Alabama.

S. 151. To amend Section 10291 of the Code of Alabama of 1923.

S. 21. To regulate the answer of garnishments in justice courts and inferior courts created in lieu of justice courts in all

counties of the State of Alabama having a population of over 200,000 according to the last Federal census.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Commitee on Enrolled Bills.

CALENDAR BILL RE-REFERRED

On motion of Mr. Holmes, the bill:

H. 326. To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said county in lieu of the Court of County Commissioners, to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the county of Baldwin into four board of revenue districts; to provide a clerk and assistant clerk for the said board of revenue and to fix their duties and compensation and to provide for a county engineer as superintendent of roads and to repeal all laws in conflict with the provisions of this Act.

Was taken from today's calendar and re-referred to the Standing Committee on Local Legislation.

BILLS ON THIRD READING

On motion of Mr. Fite, the vote by which consideration of the bill:

S. 168. To provide for and establish in each and all counties of this state which now have a population of two hundred thousand people, or more, according to the last Federal Census, or which shall hereafter have such popu'ation, or more, according to any such census hereafter taken, a Court to be desiganted the Juvenile and Domestic relations Court; to provide that such courts shall be courts of record; to define the jurisdiction, power and authority of such courts; to provide the means necessary, proper, or convenient for the exercise thereof; and to regulate same; to provide for a judge of such courts, and for such other officers and employees, as are necessary or convenient for the

exercise of its jurisdiction, and for their compensation; to provide for, and regulate the procedure in such courts; to authorize the judge of said courts to determine the form of its records, and to adopt rules of procedure therein, where not otherwise provided for in this Act; to provide for appeals from said courts and to regulate same; to fix and regulate the taxing of costs in such courts; to provide for the transfer to the jurisdiction of such courts, certain causes pending in the Circuit Courts and other Courts in such counties, and all causes pending in Domestic Relations Courts, or Courts of Domestic Relations, in such counties, and of all wards and probationers of such domestic Relations Courts in such counties; to provide that if any section, paragraph, or other part of this Act shall be declared unconstitutional, that such decision shall not affect the remainder thereof, and to abolish all Domestic Relations Courts and Courts of Domestic Relations in such counties.

Was postponed until the Thirtieth Legislative Day, was reconsidered and said bill put upon its immediate passage.

Thereupon, said bill was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Teasley	
Bradford	Fite	Mitchell	Thompson	
Brown	Hall	Nixon	Walker	
Caffey	Hines	Nolen	Walton	
Carlton	Jack	Oliver	Warren	
Cowan	Jackson	Stanley	Williams	
Craft	Jones	Stokes	Young	
Ellis of Dallas	Justice			—30

Nays:—None.

The Bill:

S. 179. To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

Was taken up.

The Standing Committee on Privileges and Elections reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE TO S. 179:

A BILL

To be entitled an act To amend Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923.

Be it enacted by the Legislature that Sections 375, 376, 387, 392, 393, 402 and 403 of the Code of 1923 be amended so as to read as follows:

That Section 375 be amended so as to read as follows:

375. (305) (1563, 1572) Board of Registrars to hold fixed meetings and give notice thereof. The board of registrars in each county shall visit each precinct at least once and oftener if necessary between October first and December thirty-first, 1927, and each two years thereafter, to make a complete registration of all persons entitled to register, and shall remain there at least one half a day. They shall give at least twenty days' notice of the time when, and the place in the precinct where they will attend to register applicants for registration, by bills posted at three or more public places in each election precinct, and by advertisement once a week for three successive weeks in a newspaper, if there be one published in the county. Upon failure to give such notice or attend any appointment made by them in any precinct, they shall, after like notice, fill new appointments therein. The time consumed by the board in completing such registration shall not exceed thirty working days in any county, except that in counties having more than one hundred and fifty thousand population as shown by the last preceding census, the time shall not exceed seventy-five working days. The board of registration in each county shall meet at the court house on the fourth Monday in January, 1928, and each two years thereafter and shall remain in session ten working days for the registration of voters.

That Section 376 be amended so as to read as follows:

376. Special Registration. In addition to the regular registration provided in this article, the courts of county commissioners, boards of revenue, or other courts of like jurisdiction of the several counties may make an order requiring the books of registration to be opened for ten working days during the month of July, 1921, and each two years thereafter, for the purpose of registering voters, except in counties having more than one hundred and fifty thousand population, as shown by the last federal census or any succeeding federal census, in which counties the Board of Registration shall be opened on the second Monday in December, 1928, second Monday in February, 1929, second Monday in April, 1929, second Monday in June, 1929, second Monday in August, 1929, and every two years thereafter and remain in session six days at each of such sessions for the purpose of registering voters.

That Section 387 be amended so as to read as follows:

387. List of names registered by precincts to be published. —The Judge of Probate shall from the registration lists heretofore and hereafter returned to his office, including those reg-

istered prior to January 1, 1902, and excluding those names stricken therefrom, as shown by the list returned to him under section 401 make correct alphabetical lists of all electors registered by precincts and by districts of precincts, where precincts have been divided or subdivided, which list shall be certified by him officially to be a full and correct copy of the list of registered electors for each precinct, and where a precinct has been divided or subdivided, for each district of each precinct respectively, as the same appears from the returns of the registrars on file in his office. The Judge of Probate shall after the first day of February, 1922, and of each year thereafter, compare such official list of registered electors with the poll tax lists which have been furnished him by the tax collector, and shall ascertain from such comparison the names of such persons on the official list of registered electors who have failed to pay any poll tax which they are legally due, and by such comparison and other available information, said Judge of Probate shall make correct alphabetical lists of all of the qualified electors registered by precincts and of districts of precincts where precincts have been divided or subdivided, and who have paid all poll tax due. Said lists so made up shall be published by him in some newspaper with a general circulation in said county on or before the 15th day of April, 1922, and of each two years thereafter, and, together with said lists there shall also be published a certificate that said list constitutes the correct list of all qualified electors who will be entitled to vote in any elections held in said county from the time of such publication until the first day of May of the next succeeding year, and also a notice that any voter duly registered whose name has been inadvertently or through mistake omitted therefrom and who has paid all poll taxes due and who is legally entitled to vote shall have ten days from said publication to have his or her name entered upon said list of qualified voters. If within such ten days any voter shall reasonably satisfy said judge of probate by proper proof that any name should be added to such list, his or her name shall be added thereto. An alphabetical list by districts and precincts of those so added within said ten days shall be prepared and published by said judge of probate in some newspaper with a general circulation in said county on or before the first day of May, 1922, and each two years thereafter. The alphabetical list of voters published by said judge of probate on or before the fifteen day of April, together with the names added and published on or before the first day of May, shall be the official list of qualified voters in said county and for the districts and precincts therein for the next ensuing year, until a new list is published, and no person whose name does not thereon appear shall be allowed to vote nor shall he or she be allowed to vote except in the precinct, or if the pre-

cinct has been divided into districts, in the district in which his or her name on said list appears, unless such person complies with the qualifications prescribed by law for challenged voters, and the judge of probate shall deliver, or cause to be delivered, to the inspectors at each voting place in his county a list of said qualified electors immediately preceding every election or primary.

That section 392 be amended so as to read as follows:

392. (323) Times for purging List of Registration. The board of registrars shall meet in each county on the first Monday in January, 1928, and every two years thereafter, for purging the registration list, and may continue in session one week. The names of those who have died, become non-residents of the State, become insane, and been so declared by inquisition of lunacy, or who have been convicted of any offense mentioned in section 182 of the constitution, since being registered, or otherwise disqualified as electors under the provision of the constitution, and any names which may have been fraudulently entered on such list, shall be stricken from the registraion list.

That Section 393 be amended so as to read as follows:

393. (324) Notice and Hearing When Names Are to be Stricken from List. When the name of any elector is proposed to be stricken from the registrationlist, unless he or she is dead or is a non-resident of the State, notice shall be issued to him or her by the board of registrars, citing him or her to appear before the board on the second Monday in February, following, and show cause why his or her name should not be stricken from the list. Said notice shall be served by the sheriff at least five days before the second Monday in February. The board of registrars shall in addition to the above notice give notice in some newspaper published in the county by one insertion.

That Section 402 be amended so as to read as follows:

402. Clerical Assistants to Make Inspection List. The judge of probate may employ such assistants and clerical help as may be necessary to complete and properly prepare the list of qualified electors which the judge of probate is required to furnish the election inspectors. Such assistants shall be paid out of the county treasury by warrants drawn by the commissioners court, board of revenue, or other governing body, on certificate of the probate judge, accompanied by the certificates of the person being paid, showing the amount is due under the provisions of this article; but the entire amount spent for such assistants and clerical help shall not exceed a sum equal to the amount obtained by multiplying the number of names on said list by five cents.

That Section 403 be amended so as to read as follows:

403. Salary or Compensation of Board of Registrars. The chairman of the board of registrars in counties having a population of more than one hundred and fifty thousand, according to the last or any succeeding federal census, shall be furnished an office at the Court House in such counties by the Board of Revenue, or board of like jurisdiction. In such counties where there is more than one court house, the Board of Revenue, or board of like jurisdiction, shall determine at which court house the office of the Chairman of the Board of Registrars shall be located. The Chairman of the Board of Registrars shall have the power and authority to employ a chief clerk and such other clerical help as may be necessary for the efficient discharge of the duties of his office. The chief clerk shall be paid the same salary, in the same manner, as is paid to the other chief clerks in the several departments of the county, as fixed by the Board of Revenue, or board of like jurisdiction. The salaries of the said chief clerk and other clerical assistants shall be fixed by the Board of Revenue, or board of like jurisdiction. The Chairman of the board of registrars shall receive a salary of three thousand dollars per annum, to be paid in twelve monthly payments, out of the funds of the county treasury, in the same manner as other county officers are paid. For each working day spent by the Chairman of the Board of Registrars for the purpose of registering voters, the State shall pay the amount paid to the other registrars, said amount being in addition to the salary hereinabove stated, and in all such counties the duties, power and authority given to and required of the judges of probate by article 3 of chapter 19 of the Code of Alabama, 1923, and acts amendatory of any sections thereof, shall be conferred, done and performed by the chairman of the board of registrars.

This Act shall take effect immediately upon its approval by the Governor, and all laws and parts of laws in conflict herewith are expressly repealed, and if any section or clause of this Act should be held unconstitutional, such invalidity shall not effect the constitutionality of any other section or clause herein contained.

Which was adopted.

Yeas, 20; Nays, 1.

Yeas:
Messrs:

Bradford	Fite	Jackson	Nolen
Brown	Hall	Jones	Teasley
Caffey	Hines	Justice	Walker
Cowan	Holmes	Loflin	Williams
Ellis of Shelby	Jack	Nixon	Young

—26

Nay:—Mr. Bonner—1.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 1.

Yeas:
Messrs:

Bradford	Fite	Justice	Stanley
Brown	Hines	Loflin	Teasley
Caffey	Holmes	Nixon	Walker
Carlton	Jack	Nolen	Williams
Ellis of Shelby	Jones	Oliver	Young

—20

Nay:—Mr. Bonner—1.

The Bill:

S. 180. To repeal Sections 388 and 394 of the Code of Alabama, 1928.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jackson	Oliver
Bradford	Ellis of Shelby	Jones	Stanley
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Williams
Carlton	Holmes	Nixon	Young
Cowan	Jack	Nolen	

—23

Nays:—None.

BILL TEMPORARILY POSTPONED

On motion of Mr. Young, the further consideration of the bill:

S. 165. To regulate the sale and exchange of gasoline, benzine, naphtha, and other liquid motor fuels and provide for a legal standard and for inspection of such products.

Was postponed until the 33rd Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Cockrell:

H. J. R. 85. Whereas, we notice in the Press an account of a splendid and magnanimous gift of printing presses and equip-

ment valued at $10,000.00 by Mr. Victor H. Hanson for the Birmingham News and Age-Herald, to the Alabama School of Trades & Industries at Gadsden, Alabama, and

Whereas, We have, also, noticed from time to time strong editorials in these newspapers encouraging this institution and stressing the great need for an educational institution of this kind which teaches the trades, therefore.

Be it Resolved, By the House of Representatives and the Senate concurring, that we extend, on behalf of the white boys of Alabama, who can not be here to express themselves on this subject but who will be benefitted by this generous donation, full appreciation to Mr. Victor H. Hanson, The Birmingham News and The Age-Herald for this splendid and useful gift.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Walton, H. J. R. 85, set out in the foregoing Message from the House was concurred in and adopted.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 29th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 29th legislative day was approved by the Senate.

ADJOURNMENT

At 11:15 A. M., on motion of Mr. Ellis of Dallas, and pursuant to resolution heretofore adopted, the Senate adjourned until Tuesday, July 12, 1927 at 2 P. M.

THIRTIETH DAY.

Tuesday, July 12, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER.

The session was opened with Prayer by Rev. Dr. Sam Willis Barnett of Birmingham.

ROLL CALL.

On a call of the roll, the following Senators answered to their names, a quorum of the Senate:

Messrs:			
Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Thompson
Caffey	Hines	Mitchell	Walker
Carlton	Holmes	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Oliver	Williams
Edgar	James	Stanley	Young
Ellis of Dallas			—33

JOURNAL.

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fite:

S. 357. To amend Section 6779 of the Code of Alabama.

Banking and Insurance.

By Mr. Fite:

S. 358. To regulate appeals by and in behalf of counties in this State, having according to the last or any subsequent Federal census two hundred thousand inhabitants, or more.

Revision of Laws.

By Mr. Fite:

S. 359. To amend Section 6784 of the Code of Alabama.

Banking and Insurance.

By Mr. Ellis of Shelby (with Notice and Proof):

S. B. 360. To provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes, and to make an appropriation therefor, and to provide a commission to ascertain the amount of said relief.

Finance and Taxation.

With Notice and Proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Shelby County. }

Luther Fowler, of Columbiana, Alabama, being sworn says: That he is the publisher of the Shelby County Reporter, a newspaper published in Shelby County, Alabama. That the following notice, viz:

NOTICE TO THE PUBLIC.

Is hereby given that application will be made to the Legislature of Alabama, which will resume its session of 1927-28 on the 7th day of June for the enactment of

A BILL

To be entitled an act to provide for the relief of Mrs. Stancil R. Stearnes, widow of Stancil R. Stearnes, deceased, and the three minor children of Stancil R. Stearnes, and to make an appropriation therefor and to provide a commission to ascertain the amount of such relief.

Said bill is to make provision for and pay to the widow for herself and the minor children compensation for the loss of the life of said Stancil R. Stearnes, while in the service of the State as Superintendent of Convicts being worked by the State in the Montevallo Mining Co., at Aldrich Coal Mines in Shelby County by falling rock or stones on or about the 21st day of February, 1927.

Dated this the 7th day of June, 1927. Mrs. Stancil R. Stearnes.

Was published in said newspaper once a week for four (4) consecutive weeks, beginning with the first issue, 16th day of June, 1927.

Luther Fowler.

Sworn to and subscribed before me on this the 7th day of July, 1927.

(SEAL) L. B. Riddle,
Judge of Probate.

My commission expires on the 15th day of January, 1929.

By Mr. Carlton:

S. 361. To amend Seciton 1349 of the Code of Alabama, 1923.

Judiciary.

By Mr. Holmes (with Notice and Proof):

S. 362. To provide for the formation of districts for the building and maintaining of public roads in Baldwin County, Alabama, under the provisions of Article Twenty-One, of the Constitution of Alabama, as proposed in an Act of the Legislature, Acts of 1923, pages 592, 593, and 594, by the County Commissioners, Board of Revenue, or body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said District, and showing same on a plat attached, also the road to be constructed, ac-

companied by bond to pay court costs and legal advertising that may accrue in the event said District is not established said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district; for the giving of notice of said application and the hearing and passing on same by said Board; for the appointing by said Board of Commissioners for said Road District and providing for their duties in connection with the plans, specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said Road Improvement District and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in conection with such road improvement who may be the County Engineer, also for assistance from the State Highway Commission for the issuance of notes or bonds for the payment of the expense in connection with such district for the appointment of a Board of Assessors by said County Commissioners to assess against the land in said District, the amount to be collected for the construction of the road or roads and other expenses not in excess of the improvement of the value of said land by reason of special benefits derived from such improvement to provide for placing of such assessment or assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation. To provide for the enforcement of the collection of such assessments by proceeding in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment.

Public Roads and Highways.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO LEGISLATURE FOR PASSAGE OF BILL.

Notice is hereby given of intention to apply to Legislature of Alabama for the passage of a bill, in substance as follows:

An act to provide for the formation of districts for the building and maintaining of public roads in Baldwin County, Alabama, under the provisions of article twenty-one, of the constitution of Alabama as proposed in an act of the Legislature, Acts of 1923, pages 592, 593 and 594, by the County Commissioners, Board of Revenue, or body having same powers and duties by whatever name called, upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, accompanied by bond to pay court costs and legal advertising that may accrue in the event said district is not established, said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proposed road im-

provement district; for the giving of notice of said application and the hearing and passing on same by said board; for the appointing by said board of commissioners for said road district and providing for their duties in conneciton with the plans, specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the County engineer, also for assistance from the State Highway Commission for the issuance of notes or bonds for the payment of the expense in connection with such district, for the appointment of a Board of Assessors by said County Commissioners to assess against the lands in said district the amount to be collected for the construction of the road or roads and other expenses not in excess of the improvement of the value of said land by reason of special benefits derived from such improvement; to provide for placing of such assessment on assessment book and collecting same by the County Tax Assessor and Tax Collector and their compensation. To provide for the enforcement of the collection of such assessments by proceedings in the circuit court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment.

Section one provides (A), for the filing of a petition with the Court of County Commissioners, Board of Revenue, or body having same powers and duties, by whatever name called, of Baldwin County, by a majority of the land owners, or those owning more than half the acreage within the proposed road improvement district, accompanied by a plat, showing boundaries thereof, and bond to pay court costs, and legal advertising in connection therewith, whereupon said Board shall give notice of the filing of said petition by advertisement for three weeks in some newspaper published in the County, for all land holders in the district to show cause, if any, why the petition should not be granted. (B) That said Board or ten land owners in the proposed district may make application to the State highway commission and it shall direct its engineer, or assistant to prepare preliminary surveys, plans, specifications, and estimates of the proposed roads, and file same with said Board that it may determine the feasibility and cost of the project, before petitions are circulated, and thereafter upon application of either of said parties, shall cause to be prepared the petition to be circulated among the land owners in the proposed district, which when signed and filed shall be heard after notice as above provided.

Section two provides that at the hearing any person desiring to do so may remove their name from the petition, and persons interested may also file objections thereto in writing; whereupon if a majority of land owners, either in property or acreage still remain in the petition, and the Board thinks it is to the best interest of the county and land owners to establish a district, it may make an order creating same, and may eliminate such portions as will not be benefited. The petition may be signed by women, married or single, by guardians for their wards, trustees, executors, administrators for estates, and corporations under their seals.

Section three provides that the order of the Board establishing said district shall have the effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in the district, and shall not be subject to collateral attack, but any land owner in the district, may appeal within thirty days to the Circuit Court, and may likewise appeal from an order refusing to establish such district, or eliminating territory therefrom, but such appeal shall not delay the proceedings for carrying out the proposed improvements.

Section four, provides for the naming of the district, and that it shall become a body politic and corporate under said name, and may sue and be sued, and have perpetual succession for the purpose of building, constructing, maintaining and repairing roads in said district. The said Board shall at the same time appoint three owners of the real property in the district, of business ability, to act as commissioners for the district, whose term of office shall be four years, and their successors shall be appointed in like manner, and they may be removed at pleasure.

Section five provides for the taking of oath of office by the Board of Commissioners, and if they fail to do so within thirty days, shall be considered as having declined to serve.

Section six provides for the organization of the Board, election of its officers and that they shall not receive compensation of exceeding $5.00 aday, while engaged in attending Board meetings, and also receive expenses while engaged on business for the district out of the county. Said amount to be paid out of the funds of the Road Improvement District, and fixed by the Board appointing them. They are also authorized to engage the necessary attorneys, engineers and other agents for carrying out the improvements contemplated, and fix their pay.

Section seven provides that should the Commissioners not deem it advisable to employ some other engineer, or have the County build the road, they shall call on the State Highway engineer to prepare preliminary plans, specifications and estimates after filing of bond by engineer and adoption of a report by engineer, in whole, or in part if deemed of advantage, making a report to the Court of County Commissioners. Only such roads as are public roads to be included in the improvement.

Section eight authorizes the Board to borrow money for expenses, issuing notes therefor at a rate of interest not exceeding six per cent.

Section nine provides that as soon as the Commissioners have formulated the plans for the district, and ascertained the cost thereof, they shall report to the County Commissioners, who at their first meeting thereafter shall appoint assessors for the district.

Section ten provides for time or meeting of assessors, election of officers, oath, quorum, filling of vacancies should any decline, their removal if necessary by the Board of County Commissioners, and pay to be fixed by the same body not exceeding $5.00 per day.

Section eleven provides for assessment book, manner of assessing, and maximum amount, not exceeding benefits as aforesaid.

Section 12, provides for the assessors also assessing damages accruing to any owner, payment thereof, or reduction of assessment in proportion.

Section thirteen, provides for the filing of said assessments with the Board of Commissioners, who in turn shall file same in the office of the clerk of the Court, who shall give notice of same to enable parties interested to make objections at the time fixed by the Commissioners Court, also of assessment of damages, both to be determined by said Court.

Section fourteen, proivdes that after the hearing the Court shall enter its findings, which shall be incontestable, except by direct attack on appeal. Provides for appeal by aggrieved party on filing affidavit within ten days. The Commissioners are also allowed the right of appeal.

Section fifteen provides for the embracing of other land in the district, if benefited, and proceedings for the inclusion and assessment, which are similar to those for including land in the district as originally formed.

Section sixteen, authorizes the Commissioners to make changes in plans and specifications for the route of the road, or construction of laterals, or extensions within, or beyond, the district, having the engineer to make plans and estimates, filing his report in the Court of County Commissioners, which shall direct the Clerk to give notice in a newspaper calling on the land owners to appear and show cause if they can, why

such changes should not be made, which Court can approve said report, from which finding appeal can be taken as provided in Section 14.

Section seventeen, provides that any land owner may petition the Board for correction of his assessment, if it becomes inequitable by reason of changes made under previous sections, said reassessment to be final and binding on the property, but if the district has issued bonds, the total amount of the assessed benefits in the district shall not be diminished. Appeal may be taken as provided in Section 14.

Section eighteen, authorizes the Commissioners not oftener than once a year, to reassess, which shall be advertised, revised and confirmed, as in the case of original assessment, and with a like effect, but if the district has issued interest bearing evidence of the debt, the total amount of the assessed benefits shall not be diminished.

Section nineteen, provides that the Commissioners Court at the time the assessment of benefits is filed with it, by the Commissioners of the district, enter upon its record an order, which shall have all of the force and effect of a judgment, providing that there shall be collected from the land in the district, such portion of the assessment as shall be sufficient to pay the estimated cost of the improvement with ten per cent added for unforeseen contingencies, which assessment is to be paid by the land of the district in proportion to the amount of the assessment of benefits thereon in annual installments. The assessment so levied shall be a preferred lien on the land, except as to taxes. Appeal may be taken as provided in section fourteen, but presumption will be in favor of the legality of the assessment. Any owner of property in the district may by mandamus compel the court to comply with this section.

Section twenty, provides that under resolution of the Board of Commissioners, specifying the number of assessments, they shall be paid in annual installments, which resolution shall cover the whole period in which assessments are to be collected, and a copy thereof transmitted to the County Tax Assessor. The resolution shall state the percent of the benefits to be extended on the county books each year, and collected by the tax collector, with usual taxes. Requires the tax assessor to make extensions, for which he shall receive the same compensation as for similar services performed for the county, to be paid out of the Road Improvement fund. In paying the assessments provided for, or any cost or penalty the grantee shall pay those not due at the time of the transfer.

Section twenty-one, provides that the tax collector of the county shall receive a commission of one percent for his services in making collection, such collection to be paid over by him to the treasurer of said county, or depository. Also provides for a penalty should the collector neglect to collect said assessments when the county taxes are paid, unless prevented by injunction, also a like penalty should assessor fail to enter the assessment on tax book. Such penalty shall be $100.00 in each case.

Section twenty-two, provides that the depository shall be allowed a commission of not exceeding one-half of one percent, to be fixed by the Board of Commissioners, upon all sums lawfully paid out of the money collected on said assessments, but not upon the proceeds of the sale of bonds. Said depository shall pay out no money, except upon warrant signed by the president and secretary of the Board of Commissioners, which shall state amount and purpose for which it is issued, and be numbered consecutively in a book, to be kept by the Board of Commissioners, but no warrant shall be paid by the treasurer or depository unless there is in hands sufficient funds to pay all outstanding warrants bearing a lower number, and no contract warrant shall be made payable in anything but money.

Section twenty-three provides that said Commissioners may deposit proceeds from sale of bonds in a solvent bank, which will pay interest thereon at not less than three percent per annum, which shall give a good

bond in an amount equal to one and one-third times the amount, with sufficient security, conditioned that said funds shall be safely kept and paid out in accordance with the law. The selection of the bank must be first reported to the Court, as also the bond for such funds. Said funds may be withdrawn on warrants signed by the president and secretary of the Board, or someone else duly authorized by proper resolution.

Section twenty-four, provides for the levy of additional assessments when necessary, the total amount not to exceed amount of special benefits as before stated.

Section twentyfive provides for a penalty of twenty-five percent in case assessments are not paid by the time fixed for payment of county taxes, which may be collected by suit brought by Board of Commissioners in the Circuit Court, such proceedings shall be in rem and it is immaterial if the ownership of the land is not correctly stated, but it shall have no force, except as against the land. Provides for giving of notice by publication, form or notice and complaint.

Section twenty-six, provides for the proceedings in court, sale of the land, fee of commissioners, attorneys, and cost.

Section twenty-seven contains further provisions as to suit, according to the practice and procedure of the Circuit Court, except as otherwise provided, in the act, which shall be liberally construed to give to said assessment list the effect of bona fide mortgages, and first lien on the land and that no informality, or irregularity in holding any meeting provided for herein, or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres or manner of assessment shall be a valid defense to such action, and for purchase of the property in the name of the Improvement District if no one else bids amount due. At any time within three years after the rendition of final decree the owner may show the payment of assessment for the year for which the land was sold, which will vacate the decree, or the owner may redeem the property within one year.

Section twenty-eight authorizes the Board of Commissioners to issue bonds, or negotiable evidences of debt, for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds to run for more than thirty years, and may be so divided as to make a portion thereof mature each year as assessments are collected, or may all be payable at the same time, with proper provisions for a sinking fund, principal and interest to be secured by lien on the land in the district. Said Commissioners to set aside sufficient from the revenue collected to make provision for the interest and payment of the bonds.

Section twenty-nine, gives the Commissioners authority to build such roads as may be necessary to carry out the improvement contemplated, and expend therefor such sums of money as are received under this Act. All the roads to be built are to be public roads, and after completion and acceptance by the court, shall become a part of the general highways of the county, and for the purpose of maintaining such roads, or assisting in the construction, the Commissioners Court shall supplement the revenues raised under this Act by allowing to said district an equitable portion of the road funds available in the county. If a majority of land owners, or arceage shall petition the court for an order authorizing the Board of Commissioners to issue additional bonds for the purpose of maintaining roads in said improvement district, it shall be lawful for the board, when granted, to issue said bonds immediately, for said purpose, but they shall not run for a period to exceed fifteen years, and before any additional bond issue is authorized a date shall be fixed by the court for a hearing of said petition, and public notice thereof, as provided by Sections one and two of this Act shall be given and the sufficiency of the petiton shall be determined in like manner, and if the court finds that the assessment of

benefits in force at the time is unequal, or that it should be equalized or adjusted, the Court shall order a re-assessment of benefits, which shall be made, advertised and confirmed in the manner specified in Sections nine to fourteen, inclusive, with like effect, but if bonds, or other interest bearing evidences of indebtedness are outstanding at the time, the total assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time.

Section thirty authorizes the Commissioners to advertise for proposals for work to be let by contract, that will call for an expenditure of exceeding one thousand ($1,000.00) dollars, and may reject any proposal they see fit. All contractors except the county, shall be required to give bond for the faithful performance of such contracts, as may be awarded them, with good and sufficient security in an amount to be fixed by the Board of Commissioners, and shall contain an obligation that such contractor, or contractors, will promptly pay all persons supplying him, or them, with labor and materials in the prosecution of the work provided for in such contract. The amount of work done by the contractor shall be estimated from time ot time by a competent engineer, and not more than eighty-five per cent of the amount due the contractor shall be paid until the completion of the contract, and all material has been paid for, and if it appears that the contractor is not paying for labor and material, they may withhold, in addition to the said fifteen percent, any and all amounts due said contractor until the labor and material has been paid for, or if they deem it best, they may, upon proper notice to the contractor, pay out to the laborers, and material men, such funds as are on hand to the credit of the contractor. All amounts so held by the district for the payment of such claims, will be regarded as trust funds. Any attempt by any one to prevent full and free competition in bidding shall be deemed a contempt of court and if any person loan, give, or offer to loan or give, directly or indirectly, any money, or other thing of value to any member of the court, clerk, commissioners, engineer, contractor, bidder, or any other person, or person in the employ of any of said persons, for the purpose of preventing full, free and unrestricted competition in the bidding, or awarding of any contract for work, for the sale or purchase of bonds, or securing employment in any position in connection with said district, such person shall be guilty of a felony, punishable for not less than one, nor more than five years.

Section thirty-one, provides that the Board of Commissioners, may, if deemed to the best interest of the District, purchase material and implements necessary to carry on the work of improvement, employ agents to do it under the direction of the State highway, or some other competent engneer.

Section thirty-two provides that the Board of Commissioners shall cause the assessments to be made, levied and collected, as long as necessary to pay any obligations contracted under this Act, and if any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners is not paid within thirty days after its maturity, the Circuit Court, upon application of any holder of such bond, or coupon, shall appoint a receiver to collect the assessments and an assessor to make an assessment and the proceeds of such assessment shall be applied, after payment of the costs, first to the over due interest and then to the payment pro rata of all bonds issued by the Board of Commissioners, then due and payable, and the receiver, if directed, shall foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted as a suit by the Commissioners, and with like effect and the decree and deeds therein shall have the same presumption in favor of

their legality, and when all such sums have been paid, the receiver shall be discharged and affairs conducted by the Board of Commissioners.

Section thirty-three provides that annually during the month of September, the Commissioner shall file with the Clerk of the Court a settlement, showing collection made and monies received from all sources whatsoever, the amount paid out with proper vouchers for such payments, which shall lie over for one month, and shall be examined by the Court at its first meeting, after one month from the date of filing, and shall disallow all improper charges and credits, if any, and such accounts may be reexamined in the Court of Equity, upon suit brought by the Board of Commissioners, or any tax payer. All such settlements shall be properly indexed and filed as a public document.

Section thirty-four, the Commissioners, or assessors shall not be liable to any one for mistakes, errors of judgment or negligence, but only for wilful misconduct, in the discharge of their duties.

Section thirty-five, makes it a felony, punishable by imprisonment for not less than one nor more than five years, for the Board of Commissioners, or any other agent, or employee, to corruptly use, or dispose of any bond or money derived from the sale thereof or any fund of such district, and the Commissioners shall be guilty of a misdemeanor for failing to make settlement as herein required.

Section thirtysix, provides that the power of the County Commissioners over roads shall not be affected by this Act, which must be observed by the laying out of roads hereunder.

Section thirty-seven provides that if any owner demands a jury to assess damages to his property, by reason of the improvement, the Board of Commissioners shall institute an action in the Circuit Court for the condemnation of said lands, which shall be in accordance with proceedings for the condemnation of the rights-of-way for railways, telegraphs and telephone companies with the right of paying into the court a sum to be fixed by the court, and then proceeding with the work before the assessment of said damages by a jury, and where there is more than one claimant for damages, such actions shall be consolidated, if practicable, and one jury shall assess the damages for all.

Section thirty-eight provides that no appeal shall delay the proceedings for carrying out the improvements and it shall only affect the particualr land involved, and if unsuccessful the party appealing shall pay the costs.

Section thirty-nine, provides that the Court shall be open at all times for the purpose of entering any judgment necessary for carrying forward the work of improvement, and may at any regular, special, or adjourned term make any and all orders and judgments. Any owner of real property, or the Board of Commissioners may appeal from the orders and judgments of the court, within ten days after same are entered, by filing an affidavit for appeal in the Circuit Court, and stating therein the special grounds on which said appeal is taken, and unless this is done, such orders, etc., shall be final and binding, and should the court refuse to make any necessary orders or judgments, when called upon by the Board of Commissioners, or any officer of the district, it may be required to do so by mandamus in the Circuit Court, which has authority to determine same, or other legal proceedings in vacation and any land owner or the Board of Commissioners may appeal from the ruling of the Circuit Court to the Supreme Court, upon the terms and conditions prescribed by law.

Section forty provides that no injunction, or process shall issue to stay the work on the road, or the collection of any assessment hereunder for the paying out of any funds for the debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court, or judge granting same, payable to

the Board of Commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if such injunction is wrongfully granted; ten days written notice of the application shall be given to the president of the Board of Commissioners, stating the time and place of the intended place for said injunction. Any injunction otherwise issued shall be void.

Section forty-one, That the word Court as herein used unless otherwise specified in that connection shall be taken to mean the Court of County Commisisoners or Board of Revenue and Road Commissioners, or such body, by whatever name called supplying the place of the court of county commissioners. The word commissioners refers to district commissioners, unless otherwise indicated.

The State of Alabama, }
Baldwin County. }

Before me, a Notary Public in and for said County in said State, personally appeared E. B. Gaston, personally known to me and who being by me first duly sworn deposes and says that he is the editor of the Fairhope Courier, a newspaper published weekly in Fairhope, Alabama, and that the attached notice of publication of intention to apply to the Legislature of Alabama to pass a local Act providing for formation of road districts in Baldwin County, Alabama, was published four times in said Fairhope Courier, to-wit: June 2nd, June 9th, June 16th and June 23rd, 1927.

E. B. Gaston.

Subscribed and sworn to before me this 11th day of July, 1927.

John G. Saxe,

(SEAL) Notary Public, Baldwin County, Alabama.

By Mr. Cowan:

S. 363. To amend Sections 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 358, and 359, Code of Alabama 1923, and to repeal Section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing Chapter 18, Volume 1, of said Code.

Public Health.

By Mr. Williams:

S. 364. To prevent any person or persons from appearing in any public place or within the crutilage of any private residence, not his own in mask or with his or their face covered in part or in whole so as to prevent or make difficult his or their identity and to make it a felony to commit an assault, assault and battery, engage in any affray or violate any criminal statute while so disguised, and to provide punishments for the violations of the provisions hereof.

Judiciary.

By Mr. Williams (with notice and proof):

S. 365. To authorize the court of county revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that com-

munity for the construction of a road or highway from Red Bay south in Franklin County.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the summer 1927 session of the Legislature of Alabama to authorize the payment from the funds of Franklin County of a certain note for $2,000.00 held by the Bank of Red Bay which funds secured by said was not used in the construction of a public road in Franklin County from Red Bay South to the cotton gin road. The note here sought to be paid is one given by the Citizens of the Red Bay Community to the Bank of Red Bay to borrow $2,000.00 to spend on this road, same being borrowed with the understanding that the county would reimburse the money expended on this road, but the claim was not filed with the Court of County Revenue, for allowance and payment within the time perscribed by law for the filing of claims against the County.

State of Alabama, }
Franklin County. }

Before me, the undersigned authority personally appeared George L. Cleere, Editor of the Franklin Times, a newspaper publishd at Russellville, Franklin County, Alabama, who on oath says that the foregoing and hereto attached notice of a local law to be introduced in the Legislature of Alabama was published once a week for four consecutive weeks in said Franklin Times, said dates of the publication of said notice being as follows: June 2, 1927, June 9, 1927, June 16, 1927, and June 23, 1927.

Geo. L. Cleere.

Sworn to and subscribed before me, this July 9, 1927.

Carrie Mae Key,
Notary Public.

By Mr. Craft:

S. 366. To provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be licensed as hereinafter provided and to provide for the manner and method of said examination fees for applicants and licensees and for the expense of maintaining a bureau of examiners for purposes herein provided for.

Mines and Manufacturing.

By Mr. Young (with Notice and Proof):

S. 367. For the relief of E. R. Harris, of Sulligent, Alabama, and to authorize and require the State Auditor to draw his warrant on the State Treasurer in favor of E. R. Harris for the sum of Two Hundred ($200.00) Dollars, and to require the State Treasurer to pay such warrant, and to appropriate the sum of Two Hundred ($200.00) Dollars for the payment thereof.

Finance and Taxation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
Lamar County. }

Notice is hereby given that a bill will be introduced in the present Legislature of the State of Alabama, providing for the payment of Two Hundred ($200.00) Dollars out of the State Treasury to E. R. Harris, of Sulligent, Alabama, to repay him for moneys paid by him for State license as a wholesale lumber dealer for the years 1923 and 1924, he having paid said amount for State licenses for said years, and it having developed later that he was not liable for or subject to such license, and to appropriate the money for the payment of said amount of Two Hundred ($200.00) Dollars.

This May 23rd, 1927.

E. R. Harris,
Sulligent, Alabama.

The State of Alabama, }
Lamar County. }

Before me, the undersigned, J. C. Milner, a Notary Public in and for the above named State and County, this day personally appeared K. T. Mills, who being by me first duly sworn, on his oath, deposes and says that he is the editor and publisher of Lamar Democrat, a newspaper published in Vernon, Lamar County, Alabama; affiant further states on his oath that the above attached notice has been published in said Lamar Democrat for four consecutive weeks, that is to say it was published in the issues of May the 25th, 1927; June the first, 1927; June the 8th, 1927, and June the 15th, 1927, making it be published for four consecutive weeks in said paper before the making of this affidavit.

K. T. Mills,
Editor and Publisher of said Lamar Democrat, a newspaper published in Vernon, Alabama.

Sworn to and subscribed before me this July the 6th, 1927.

J. C. Milner,
Notary Public, Lamar County, Alabama.

By Mr. Brown:

S. 368. To amend Section 222 of the Revenue Code of the State of Alabama of 1923.

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Ellis of Dallas, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tunstall:

H. 585. To make appropriation of three hundred thousand ($300,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses the present session of the Legislature.

Mr. Mitchell, Chairman of the Standing Committee on Education, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Baldwin (without Recommendation):

H. 349. To provide for the election of a County Superintendent of Education for Covington County, Alabama, by the qualified electors thereof; to fix such officer's term of office, his salary; to provide for said officer's entering into bond and the amount thereof; to prescribe his duties and powers and to provide penalties for failure to perform said duties, and to fix his qualifications and to repeal all laws in conflict with said act.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

By Mr. Edwards:

H. 129. To provide for the election of a County Superintendent of Education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

MESSAGE FROM THE GOVERNOR.

To The Legislature of Alabama,
Gentlemen of the House:

I herewith return to the House of Representatives, the body in which the Bill originated, House Bill No. 129, without my approval.

I suggest the following executive amendment, which is concurred in by the Legislature, will meet my objections to the Bill.

Amend Section Five (5) of the Bill so as to read as follows:

"That in the event of a vacancy in said office for any cause, said vacancy shall be filled by election by the County Board of Education and the persons so elected shall hold office until the next general State Election thereafter, at which time a County Superintendent of Education shall be elected by the qualified voters of the County to fill the unexpired term."

Respectfully,
(Signed) Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of

the whole number elected to the House, said vote being: Yeas, 86; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time at length and by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 86; Nays, 0.

And said bill, together with the Governor's Message, containing the proposed amendment is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Edgar, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to H. 129, the title of which and said Governor's amendment is set out in the foregoing Message from the House.

Yeas, 23; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Hall	Jones	Thompson
Brown	Hines	Justice	Warren
Caffey	Holmes	Loflin	Williams
Cowan	Jack	Mitchell	Young
Edgar	Jackson	Nixon	

—23

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. 129, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Nixon
Caffey	Fite	Jones	Stanley
Carlton	Hall	Justice	Thompson
Cowan	Hines	Loflin	Warren
Craft	Jack	Mitchell	Williams
Edgar			

—21

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown, and, as amended, has passed the following Senate Bill, and returns same herewith to the Senate:

S. 157. To amend Section 6 of an Act entitled An Act, "To create and establish a board of revenue in and for Calhoun County, Alabama, in the place and stead of the court of county commissioners of Calhoun County, now existing in said county, and abolishing said court of county commissioners of said county; to divide the said county of Calhoun into five districts for the election of members of the said board of revenue, and fixing the boundaries of said district; defining the jurisdiction of said board of revenue and fixing their compensation, and conferring upon said board of revenue all the jurisdictions, powers and authority granted by law to courts of county commissioners, boards of revenues or other governing bodies of like kind and authority in the State of Alabama; constituting the first members of said board of revenue, and providing for the election of their successors," approved September 17, 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Nixon, the Senate non-concurred in the following amendment by the House to S. 157, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 157

By striking out of said bill all that part of same which follows the enacting clause, and substituting therefor the following:

Section 1. That Section 6 of an act entitled an act "To create and establish a Board of Revenue in and for Calhoun County, Alabama, in the place and stead of the Court of County Commissioners of Calhoun County, now existing in said county, and abolishing said Court of County Commissioners of said County; to divide the said county of Calhoun into five districts for the election of members of the said Board of Revenue, and fixing the boundaries of said districts; defining the jurisdiction of said Board of Revenue and fixing their compensation, and conferring upon said Board of Revenue all the jurisdiction, powers and authority granted by law to courts of county commissioners, boards of revenue, or other governing bodies of like kind and authority in the State of Alabama; constituting the first mem-

bers of said Board of Revenue, and providing for the election of their successors", approved September 17th, 1923, be, and the same hereby is amended to read as follows:

Section 6. The several members of said Board of Revenue shall receive as compensation for their services as such members, the sum of Seven Hundred and Fifty Dollars per annum, such compensation being payable out of the county treasury in twelve monthly installments of Sixty Two and Fifty One-hundredths Dollars ($62.50) each, upon the warrant of the Chairman of said Board of Revenue, to be issued at the first meeting of said Board following the first day of the month.

That each member of said Board of Revenue shall assist the Road Supervisor in the supervision of the public roads of his district and in the employment of foremen and laborers required in such district, and in making such other contracts as the Road Supervisor may be authorized or required to execute; that for such services, and for all services rendered as members of Board of Review of Calhoun County, Alabama, each member of the Board shall receive as ex officio fees the sum of Five Hundred Dollars ($500.00) per annum, payable in equal quarterly installments, out of the road funds of the county, at the end of each quarter upon the warrant of the Chairman of said Board; providing, however, that all acts of members of the Board of Revenue in their respective districts, and contracts made by them, shall be subject to the approval and ratification of the entire Board of Revenue. No other compensation shall be paid the members of the Board of Revenue for services as members of such Board of Revenue or Board of Review.

That each member of the Board, before entering on the duties of his office under this act, must give bond with a bonding company, qualified to do business in the State of Alabama, as surety, the Chairman to furnish bond in the sum of five thousand dollars, and each associate member to furnish bond in the sums of two thousand dollars and five hundred dollars ($2,500.00), conditioned as provided in Section 2595 of the Code of Alabama, of 1923, which bond must be approved by the Judge of Probate, and recorded in his office, the premium of each of such bonds to be paid by the principals therein.

Section 2. Be it further enacted that all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

And requests a Committee of Conference.

Yeas, 25; Nays, 0.

Yeas:
Messrs.:

Bonner	Brown	Carlton	Edgar
Bradford	Caffey	Cowan	Ellis of Dallas

Fite	Jackson	Mitchell	Stokes
Hall	Jones	Nixon	Thompson
Hines	Justice	Nolen	Warren
Holmes	Loflin	Stanley	Williams
Jack			—25

Nays:—None.

And the President and Presiding Officer of the Senate appointed as conferees on part of the Senate, Messrs. Nixon, Holmes and Jack.

MESSACE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested:

By Mr. Cockrell:

H. J. R. 85. Extending appreciation on behalf of the white boys of Alabama to Mr. Victor H. Hanson, The Birmingham News and The Age-Herald for the gift of printing presses and equipment to the Alabama School of Trades and Industries at Gadsden, Alabama.

J. H. Stewart,
Clerk.

SIGNING OF RESOLUTION.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

By Mr. Guy:

H. 675. To provide for payment of supervision and inspection fees by motor carriers as defined herein; so as to provide for supervision, inspection and regulation by the Alabama Public Service Commission, in the public interest, of the operation of such motor carriers, their service, rules, regulations, practices, fares, rates, charges and facilities and licenses; to provide for collection of such fees and distribution of the funds derived therefrom; to give the State a lien upon the property of such

motor carriers for payment of said fees, and to provide penalties for default in the payment thereof; to provide additional compensation to members of said commission for the extra, new, and additional duties imposed up them.

Also:

By Mr. Rogers of Mobile:

H. 626. To Alter and Rearrange the Boundary Lines of the City of Mobile in the State of Alabama, so as to Include Within the Corporate Limits of said City Certain Territory not Included Therein, and also to Include the Territory now Included Within the City or Town of Prichard in the State of Alabama.

With Notice and Proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be made to the Legislature of the State of Alabama when convened in its next session hereafter, to pass a local act provding in substance as follows: A Bill To Be Entitled An Act To alter and rearrange the boundary lines of the City of Mobile in the State of Alabama ,so as to include within the corporate limits of said city certain territory not included therein, and also to include the territory now included within the City or Town of Prichard in the State of Alabama.

Be it enacted by the Legislature of Alabama: Section 1. That from and after the passage of this act the boundary lines of the City of Mobile, Alabama, shall be altered and rearranged as to be as follows: Commencing at the southeast corner of township four south, range one west, thence west along the south boundary of said township to the east bank of Dog River, thence in a northerly direction along the east bank of Dog River according to the meanderings thereof to the North line of Section 32, Township 4 south, range 1 west, thence west along said north line of said section 32 to the northwest corner of said section 32, thence north along the governmental section lines to the point where the west boundary of section 29, township 4 south, range 1 west, intersects the middle of the stream of Bayou Durand or Eslava Creek, thence in a westerly direction along the middle of the stream of Bayou Durand or Eslava Creek and the south fork thereof to the point where the middle of said stream intersects the west boundary line of section 25, township 4 south, range 2 west, thence northwardly along governmental section lines to a point 1,000 feet south of the northeast corner of section 23, township 4 south, range 2 west, thence west parallel to the north boundary of said section 23, to the west line of said section thence north following the governmental section lines to the northwest corner of section 14, township 4 south, range 2 west, thence east following the governmental section lines to the southwest corner of section 7, township 4 south, range 1 west, thence north along the governmental section lines to the northwest corner of section 6, township 4 south, range 1 west, thence east along the north boundary of township 4 south, range 1 west, to the north or west line of the right of way of the G. M. & N. Railroad leading to the State docks, thence in a general northeasterly direction along the north or west line of said right of way to a point where the same crosses the west line of section 33, township 3 south, range 1 west, thence northwardly along the west line of said section 33 to the northwest corner thereof, thence eastwardly along governmental section lines to St. Stephens Meridian, thence southwardly along St. Stephens Meridian to the point of beginning.

Section 2. That the boundary set out in section 1 of the act be and the same is hereby established as the corporate limits of the said city of

Mobile, and the territory now included within the city or town of Prichard in said State shall hereafter be and constitute a part of the city of Mobile.

Section 3. This act shall go into effect on October 1, 1927.

Section 4. Be it further enacted, That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

STATE OF ALABAMA,
Mobile County.
City of Mobile.

Before me, Annice Zieman, a Notary Public, in and for said State and county this day personally appeared J. C. Ballentyne, who is known to me and who being by me, first duly sworn, deposes and says, that he is Auditor of The Mobile Register Co., Inc., publishers of The Mobile Register, a newspaper published in said State, county and city, and that the attached notice of application to be made to Legislature of State of Alabama to pass a local act providing in substance, etc., appeared in the issue of The Mobile Register of May 30th, June 6th, and 13th and 20th, 1927.

J. C. Ballentyne, Auditor.

Subscribed and sworn to before me on this the 20th day of June, 1927.

Annice Zieman,
Notary Public. Mobile County, Alabama.

And sends the same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE.

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. 675. To the Committee on Judiciary.

H. 626. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following Bills:

By Mr. Christian:

H. 653. To amend Section 2984, Code 1923.

Also:

By Mr. Goodwyn:

H. 600. To amend Section 22 of an Act "to provide and create a Commission form of Municipal Government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions here-

under; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said Commission form of government." Approved Sept. 18, 1923.

Also:

By Mr. Frey:

H. 257. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

Also:

By Mr. Sanderson:

H. 573. To authorize and regulate the renewal and extension of the charters and the corporate existence of life insurance companies when not otherwise provided.

Also:

By Mr. Rogers of Mobile:

H. 599. To permit State Officers to reduce the number of copies of their official reports, when printed.

Also:

By Mr. Shepherd:

H. 303. To repeal an act entitled an act to provide for a clerk to the Tax Assessor in Counties having more than 37000 population and less than 37400 population, according to the 1910 Federal census, to prescribe the duties of such clreks and provide for their appointment and compensation.

Also:

By Mr. Lovelace:

H. 304. To prohibit the possession, transportation or sale of seedlings, saplings or trees removed without the consent of the owner of the land upon which grown.

Also:

By Mr. Kirkpatrick (with amendment):

H. 351. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

Also:

By Mr. Jones of Bullock (By request):

H. 583. To amend Section 5001 of the Code of 1923.

Also:

By Mr. Goodwyn:

H. 702. To amend Section 6717 of the Code of Alabama of 1923.

Also:

By Mr. Lovelace:

H. 357. In relation to public education. To provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Also:

By Mr. Ward of Tuscaloosa:

H. 324. To authorize and empower the Board of Revenue of Tuscaloosa County to use the portion, or so much thereof as may be necessary, of the funds derived from the excise tax on gasoline, or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, parnerships, companies, agencies or associations engaged in the business of seling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act, which is to be paid to Tuscaloosa County under the provisions of Section 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying interest on, and establishing a sinking fund for the retirement of, any bonds of Tuscaloosa County which have been sold, or which hereafter may be sold to provide funds for paving, or aiding in the paving, of any public roads in Tuscaloosa County which are, or hereafter may be, designated as State Aid Roads by the State Highway Commission of Alabama, and which the State Highway Commission with State funds, or State and Federal Aid funds, has improved and has let contracts for paving, or which it may hereafter improve and let contracts for paving.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama, at the session convening on the 11th day of January, 1927, for the enactment of a local law in substance as follows:

Be it Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue of Tuscaloosa County be, and hereby is, empowered to use the portion, so much thereof as may be necessary, of the funds derived from the excise tax on gasoline, or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, partnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the

distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to Tuscaloosa County under the provisions of Section 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama." for the purpose of paying interest on, and establishing a sinking fund for the retirement of, any bonds of Tuscaloosa County which have been sold, or which may hereafter be sold to provide funds for paving, or aiding in the paving, of any public roads in Tuscaloosa County which are, or hereafter may be, designated as State Aid Roads by the State Highway Commission of Alabama, and which the State Highway Commission with State funds, or State and Federal Aid funds, has improved and has let contracts for paving, or which it may hereafter improve and let contracts for paving.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and hereby are, repealed, insofar as they apply to Tuscaloosa County.

Board of Revenue,
Of Tuscaloosa County, Alabama.

STATE OF ALABAMA,
Tuscaloosa County.

Before me, the undersigned Annie Belle Whitson, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that, he is the publisher of the Tuscaloosa News, a newspaper published in the City of Tuscaloosa, County of Tuscaloosa, that the above and foregoing notice of intention to apply to the Legislature of Alabama for the enactment of the local law set out in said notice—the above and foregoing being an excerpt from the columns of said newspaper, was published in said Tuscaloosa News once a week for four consecutive weeks, the first publication being made in the issue of said newspaper of January 11, 1927, the second publication in the issue of said newspaper of January 18, 1927, the third publication in the issue of said newspaper of January 25, 1927, and the fourth publication in the issue of said newspaper of Ferbuary 1st, 1927.

Aaron Miller.

Sworn to and subscribed before me this the 10th day of February, 1927.

Annie Belle Whitson,
Notary Public.

Also:

By Mr. Frey:

H. 562: For the relief of Lucien W. Brown.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the 1927 session of the Legislature of Alabama, as follows, to-wit:

A BILL

To be Entitled an Act for the relief of Lucian W. Brown:

Be it enacted by the Legislature of Alabama:

1. That the Board of Revenue of Jefferson County is hereby authorized and directed to draw or cause to be drawn a warrant on the County Treas-

urer of Jefferson County in favor of Lucien W. Brown for the sum of $4283.82, covering amount erroneously paid into the County Treasury of said County by said Lucien W. Brown, while acting as Clerk of the Third Division of the Municipal Court of Birmingham, Alabama. And the treasurer of Jefferson County is hereby directed and required to pay such warrant out of any money in the treasury not otherwise appropriated.

2. This Act shall take effect immediately on approval by the Governor.

STATE OF ALABAMA,
County of Jefferson.

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of the Weekly Call, a weekly newspaper published in said state and county, who, being by me first duly sworn deposes and says that the notice a true copy of which is hereto attached was published in The Weekly Call, once a week for Four consecutive weeks, commencing on January 8, 1927.

Geo. M. Howle,
Editor The Weekly Call.

Sworn to before me, and signed in my presence, this 29th day of January, 1927.

Bessie Stephens,
Notary Public.

Also:

By Mr. Simpson (With Notice and Proof):

H. 693. To alter, rearrange, and fix the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

NOTICE

Notice is hereby given that a bill will be introduced into the Legislature of Alabama at its next session in June, 1927, in substance as follows:

A Bill Entitled An Act to alter, rearrange, and fix the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama, be and the same are hereby altered, rearranged and fixed so as to include within the corporate limits thereof all that territory lying within the County of Jefferson, in said State, described and bounded as follows, to-wit:

The SE¼ of section 7, township 18, range 2 west; the NE¼ of the NE¼ of section 18, township 18, range 2 west; the W½ of the NW¼ of section 17, township 18, range 2 west; all that part of the NW¼ of SW¼ of section 17, township 18, range 2 west lying north and west of Shades Creek; part of the E½ of the NW¼ of section 17, township 18, range 2 west, containing 66 acres, more or less, and particularly described as follows: From the SE corner of the SE¼ of the NW¼ of said section, run north along the quarter-section line 990.2 feet to the center of Shades Creek for point of beginning; thence 83 degrees and 50 minutes to the left 100 feet; thence 65 degrees and 30 minutes to the right 80 feet; thence 52 degrees and 13 minutes to the right 100 feet; thence 64 degrees and 51 minutes to the left 70 feet; thence 103 degrees and 24 minutes to the left 200 feet; thence 14 degrees and 15 minutes to the left 150 feet; thence 34 degrees and 56 minutes to the right 150 feet; thence 32 degrees and 56 min-

utes to the left 200 feet; thence 42 degrees and 10 minutes to the right 170 feet; thence 84 degrees and 17 minutes to the left 50 feet; thence 39 degrees and 02 minutes to the left 200 feet; thence 75 degrees and 37 minutes to the right 100 feet; thence 52 degrees and 38 minutes to the left 80 feet; thence 86 degrees and 04 minutes to the right 130 feet; thence 36 degrees and 31 minutes to the left 150 feet; thence 33 degrees and 21 minutes to the right 242 feet to the south line of the SE¼ of the NW¼ of said section; thence west along the south line of the SE¼ of the NW¼ of said section to the west line of said quarter-section; thence north along the west line of the E½ of the NW¼ of said section to the north line of said section; thence east along the north line of said section to the east line of the E½ of the NW¼ of said section; thence south along said east line of the E½ of the NW¼ of said section to point of beginning.

Section 2. That the boundaries set out in section 1 of this Act be and the same are hereby established as the corporate limits of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

Section 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall go into effect on the approval by the governor.

Clarence Lloyd.

STATE OF ALABAMA,
Jefferson County.

On this the 27th day of June 1927, personally appeared before me, the undersigned, a Notary Public, within and for said County and State, M. E. Lazenby, Publisher of the Alabama Christian Advocate, a weekly newspaper published at Birmingham, State of Alabama, who being duly sworn, states on oath that the herewith attached advertisement in the matter of The Town of Holley appeared in said newspaper for four consecutive times, viz. May 26th, June 2nd, 9th and 16th, 1927.

M. E. Lazenby,
Publisher.

Sworn to and subscribed before me this 27th day of June, 1927.

Gussie Cox,
Notary Public.

Also:

By Mr. Cannon:

H. 423. To create the office of county treasurer for Fayette County, prescribe his duties, fix his salary and provide a method of election to said office.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

The State of Alabama,
Fayette County.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the regular session which convened on Tuesday, the 11th day of January, 1927, and of the intention to have said bill passed and enacted at said session the substance, essential and material parts thereof, and the bill in full as part of this notice being as follows:

A bill to be entitled An Act to create the office of County Treasurer for Fayette County, prescribe his duties, fix his salary and provide a method of election to said office.

Section 1. Be it enacted by the Legislature of Alabama, That the office of couny treasurer for Fayette County is hereby created.

Section 2. That at the general election held in this State in November, 1928, and each four years thereafter, there shall be elected by the qualified electors of the county, a county treasurer for Fayette County, who shall hold office for four years from the first Monday in January after the second Tuesday in January, next after his election, and until his successor is elected and qualified.

Section 3. That the salary of the county treasurer shall be seven hundred and fifty ($750) dollars per annum payable monthly out of the county treasury upon the warrant of the Judge of Probate drawn upon the county treasurer of said county.

Section 4. That the code of Alabama, 1923, shall in all things apply to and govern the county treasurer elected under this Act when not in conflict with the provisions hereof.

Section 5. That all laws and parts of laws, general local or special, insofar as they are in conflict with the provision hereof, are hereby repealed.

W. M. Cannon.

PUBLISHER'S AFFIDAVIT

The State of Alabama,
Fayette County.

Before me, R. F. Peters, Register of the Circuit Court in and for said County, in said State aforesaid, personally appeared Thos. M. Peters, Jr., who, being duly sworn, doth depose and say that he is publisher of The Northwest Alabamian, a weekly newspaper published in the Town of Fayette, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper once a week for 4 consecutive weeks prior to the 9th day of March, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit: The 12th day of January, 1927; the 19th day of January, 1927; the 26th day of January, 1927; the 2nd day of February, 1927; the 9th day of February, 1927.

Thos. M. Peters, Jr., Publisher.

Sworn to and subscribed before me, this 4th day of June, 1927.

R. F. Peters,
Register of the Circuit Court.

Also:

By Mr. Hawkins:

H. 535. To authorize the City of Birmingham to make an appropriation for the relief of Thomas A. Christian, Tryon A. Riley and Fred S. McFarland.

With Notice and Proof thereto attached and herewith exhibited as follows:

To Whom It May Concern:

Take notice that the following bill will be introduced at the present session of the Legislature of Alabama and its enactment sought:

A BILL

To be entitled An Act to authorize the City of Birmingham to make an appropriation for the relief of Thomas A. Christian, Tryon A. Riley and Fred S. McFarland.

Be it enacted by the Legislature of Alabama:

Section 1. That the governing body of the City of Birmingham be, and it hereby is, authorized to appropriate the sum of six hundred twenty-four dollars and eighty-five cents from any funds in the treasury of said City not otherwise appropriated, to reimburse Thomas A. Christian, Tryon A. Riley and Fred S. McFarland, Police Officers of the City of Birmingham, the amount paid by them in settlement of judgment and costs recovered against them in the cause of L. C. Robinson v. Thomas A. Christian, Tryon A. Riley and Fred S. McFarland, No. 27186 in the Circuit Court for Jefferson County, Alabama, the said recovery resulting from a good faith mistake made by said officers in the execution of their official duties as Police Officers of said City.

State of Alabama,
Jefferson County.

Before me, the undersigned authority in and for said County, in said State, personally appeared A. H. Cather, who being by me first duly sworn, deposes and says that he is the editor and publisher of The Southern Labor Review a newspaper published in Jefferson County, Alabama; that said Southern Labor Review is, and upon the dates hereinafter specified was, a newspaper published in Jefferson County, Alabama, and of general circulation therein; and that upon the 26th day of January, 1927, the 2nd day of February, 1927, the 9th day of February, 1927, and the 16th day of February, 1927, the following notice was published, and appeared in said newspaper:

A. H. Cather.

Subscribed and sworn to before me this 8th day of June, 1927.
(Seal)
J. C. Sheehan,
Notary Public.

Also:

By Mr. Cannon:

H. 424. To regulate and prescribe the manner of voting for and electing county commissioners for Fayette County by the qualified voters of the entire county.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

The State of Alabama,
Fayette County.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the regular session which convened on Tuesday, the 11th day of January, 1927, and of the intention to have said bill passed and enacted at said session the substance, essential and material parts thereof, and the bill in full as part of this notice being as follows:

A bill to be entitled An Act to regulate and prescribe the manner of voting for and electing county commissioners of Fayette County by the qualified voters of the entire county.

Section 1. Be it enacted by the Legislature of Alabama, That at all general elections hereinafter held for State and county offices, at which county commissioners are to be elected for Fayette County, they shall be elected for each district of said county, as now constituted by the qualified voters of the entire county, at the expiration of the term of each of the present commissioners.

Section 2. That no person shall be eligible to election as county commissioner for any of the districts as now constituted, unless he or she shall be a qualified elector of said district.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

W. M. Cannon.

PUBLISHER'S AFFIDAVIT

The State of Alabama,
Fayette County.

Before me, R. F. Peters, Register of the Circuit Court in and for said County, in said State aforesaid, personally appeared Thos. M. Peters, Jr., who, being duly sworn, doth depose and say that he is publisher of The Northwest Alabamian, a weekly newspaper published in the Town of Fayette, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper once a week for 4 consecutive weeks prior to the 9th day of March, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit: The 12th day of January, 1927; the 19th day of January, 1927; the 26th day of January, 1927; the 2nd day of February, 1927; the 9th day of February, 1927.

Thos. M. Peters, Jr., Publisher.

Sworn to and subscribed before me, this 4th day of June, 1927.

R. F. Peters,
Register of the Circuit Court

Also:

By Mr. Harwood:

H. 670. To amend the title and Sections 5, 12, 14 and 17 of the Act approved September 25, 1915, and entitled "An Act to establish a Board of Revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, provide for a Clerk and Engineer, and to abolish the Board of Public Works and the Jury Commission of said County."

With Notice and Proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Notice is hereby given of the intention to apply to the Legislature of Alabama, during the 1927 session of the Legislature, for the enactment of a local law applicable to Tuscaloosa County, in substance as follows:

To amend the title and Sections 5, 12, 14 and 17 of the Act approved September 25, 1915, and entitled "An Act to establish a Board of Revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, provide for a Clerk and Engineer, and to abolish the Board of Public Works and the Jury Commission of said County."

Be it Enacted by the Legislature of Alabama:

Section 1: That that title of the Act approved September 25, 1915, and entitled "An Act to establish a Board of Revenue for Tuscaloosa Coun-

ty, Alabama, to prescribe its powers and duties, to fix the compensation of its members to provide for the election of its members and fix their terms of office, provide for a Clerk and Engineer, and to abolish the Board of Public Works and the Jury Commission of said County," be amended so as to read as follows:

To establish a Board of Revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, to provide for a Clerk, Engineers, Attorneys and other necessary employees, and to abolish the Court of County Commissioners, the Board of Public Works and the Jury Commission of said County.

Section 2: That Section 5 of said Act be amended so as to read as follows:

Section 5. The said Board of Revenue shall divide the public roads of the County into precincts and annually apportion all of the inhabitants of said County subject by law to work on the roads, to the several precincts, and shall on such portions of said roads as said Board may deem it necessary appoint overseers. On such portions of the roads as are worked by contract, the board shall designate what lands in the precincts in which such contracted portions lie shall work on each contracted portion, and shall make contracts with the contractors for the amounts to be allowed the County for the labor of such hands, and all designated to work under such contractors, who shall not have paid their road tax, shall report to the contractor for work when ordered by the Board, and work the number of days, not exceeding the number required by law, fixed by the Board during each year. Provided, however, that any person in said County subject by law to work on roads may commute the duty to work on the public roads by paying to the Board of Revenue the sum of Five ($5.00) Dollars annually, and all amounts so paid in commutation of the duty to work on the public roads shall be used in the construction and maintenance of the public roads of the County. The Board of Revenue shall fix, by order, the time in each year when the said commutation tax shall be paid. In addition to their other duties in this Act prescribed, the three members of the Board of Revenue, other than the President thereof, shall annually, before the time fixed by the Board of Revenue for the payment of the commutation tax, ascertain and list the names of all persons subject to road duty in each of the road precincts of the County, and file such lists with the Clerk of the Board. The three members of the Board of Revenue, other than the President thereof, shall also personally inspect at least once in every month all of the public roads of the County, and immediately after each inspection shall file a detailed report of the condition of the roads as found by them with the President of the Board. For the purpose of making its inspection the Board may divide the County into three road districts, and one each of the said three members may be assigned by the Board to one of said districts for the purpose of inspection herein required. Upon receipt of said reports by the President of the Board, the President, with the approval of the Board, shall take immediate steps to repair and remedy any defect found existing in said roads.

Section 3: That Section 12 of said Act be amended so as to read as follows:

Section 12: The Board of Revenue may elect a Clerk and employ engineers and attorneys, and all other employees necessary to carry on the business of the County and prescribe and fix the compensation to be paid to them. The Board shall also prescribe the duties of the Clerk, and the Clerk shall collect all road taxes or sums paid in commutation of the duty to work the road, and shall receive no extra compensation for this service. The Clerk shall give bond for the faithful discharge of his duties in such

amount and with such sureties as may be prescribed by the Board of Revenue.

Section 4: That Section 14 of said Act be amended so as to read as follows:

Section 14. Said Board shall hold four sessions annually, on the first Mondays of January, April, July and October of each calendar year, and may hold other regular session on such times as the Board may fix by its order, and may also hold special sessions at any time upon the call of the President or any two members.

Section 5: That Section 17 of said Act be amended so as to read as follows:

Section 17: That the three members of the Board of Revenue, other than the President thereof, shall receive a salary of not exceeding Two Thousand and no-100 ($2,000.00) Dollars per annum, and shall not be entitled to any expenses or other compensation on account of any service rendered the County as such members of said Board. The salary shall be paid in monthly installments out of the County Treasury on certificates or warrants signed by the President of the Board. The salary of the President of the Board shall not exceed One Thousand and no-100 ($1000.00) Dollars per annum, to be paid in monthly installments out of the County Treasury on certificates or warrants to be signed by himself as President of the Board.

Section 6: That all laws and parts of law in conflict with the provisions of this Act be, and are hereby repealed.

STATE OF ALABAMA,

Tuscaloosa County.

Before me, Richard C. Foster, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is Editor and Publisher of The Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, and that the notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the Legislature for the enactment of a law, was published in the said The Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of April 27, 1927, and the following publications in the issues of said newspaper were May 4, May 11, and May 18, 1927, respectively.

Aaron Miller,

Sworn to and subscribed before me on this the 13th day of June, 1927.

Richard C. Foster,
Notary Public.

Also:

By Mr. Jones of Cleburne:

H. 390. To prescribe the duties and fix the compensation of the Deputy Solicitor for Cleburne Counety, Alabama, and to repeal all laws and parts of laws in conflict with this act.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE!

Notice is hereby given that application will be made to the present session of the Alabama Legislature to pass a bill substantially as follows:

A bill to be entitled An Act to prescribe the duties and fix the compensation of the Deputy Solicitor for Cleburne County, Alabama, and to repeal all laws and parts of laws in conflict with this bill.

Be it enacted by Legislature of Alabama, as follows:

Section 1. That it shall be the duty of the Deputy Solicitor of Cleburne County, Alabama, to represent the State in all cases in the county court and inferior courts and all preliminary proceedings, applications for bail and habeas corpus proceedings in all courts; aid or act for the Circuit Solicitor before the Grand Jury and in all matters in the circuit court and perform all duties of the circuit solicitor in his absence. Also, to attend all coroner's inquests and represent the State on such inquest and after an examination of witnesses before the coroner's inquest to select such witnesses as in his judgment should appear before the Grand Jury or on any preliminary or habeas corpus growing out of an arrest as a result of such coroner's inquest. The Deputy Solicitor shall also have power to issue subpoenas for witnesses to attend the Grand Jury.

Section 2. The Deputy Solicitor of Cleburne County, Alabama, shall receive as his full compensation for said services the fees provided by Section 3738 of the Code of 1923, which said fees shall be taxed against the defendant on conviction, to be collected as other costs and paid to said Deputy Solicitor by the clerk when collected.

Section 3. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

THE STATE OF ALABAMA,
Cleburne County.

Before me, Myrtle Barker, a Notary Public in and for said State and County, personally appeared E. P. Dodson, publisher of the Cleburne News, a weekly newspaper published in Heflin, Cleburne County, Alabama, who being duly sworn, deposes and says that the notice, a copy of which is hereto attached, was published in said newspaper for four consecutive weeks as follows: April 28, May 5, May 12, and May 19, 1927.

E. P. Dodson,
Publisher.

Sworn to and subscribed before me this 3 day of June, 1927.

Myrtle Barker,
Notary Public.

Also:

By Mr. Simpson:

H. 691. To provide a fund for the support of a Law Library for the Circuit Court in Counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

With Notice and Proof thereto attached and herewith exhibited as follows:

EXHIBIT "A"

Notice is hereby given of the intention to apply for the enactment by the Legislature of Alabama of a law, in substance, as follows:

A BILL

To Be Entitled An Act to provide a fund for support of a Law Library for the Circuit Court in Counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Be it Enacted by the Legislature of Alabama, as follows:

Section (1). That in all civil (including equity) cases hereafter filed in or brought by appeal or certiorari to the Circuit Court of counties of two hundred thousand or more inhabitants, there shall be taxed as costs, the sum of one dollar in each case to be collected as other costs are collected, and to be paid to the clerk of such Circuit Court. That said sum of one dollar shall be called the "Library Tax" and shall be expended by the Circuit Court of such county by orders of the presiding Judge thereof, for maintaining a Law Library for such Circuit Court:

Provided, that this act shall not apply to cases filed by municipalities for the purpose of selling property for the collection of taxes due such municipalities.

R. H. Scrivner,
President Birmingham Bar Association.

STATE OF ALABAMA,
Jefferson County.

Personally appeared before me, the undersigned authority in and for said County, in said State, A. H. Cather, who being by me first duly sworn, deposes and says as follows:

That he is editor and manager of the Southern Labor Review, a newspaper published weekly in the State of Alabama, County of Jefferson and City of Birmingham, and that the notice, a true copy of which is attached hereto as Exhibit "A" and made a part hereof, was published in said paper for four consecutive weeks, which publications were on January 19th, January 26th, February 2nd and February 9th, 1927.

A. H. Cather,

Sworn to and subscribed before me this the 14th day of June, 1927.

J. C. Sheehan,
Notary Public.

(Seal)

Also:

By Mr. Cannon:

H. 621. To validate the proceedings of the Town Council of the Town of Fayette, Alabama, held on May 16th, 1927, authorizing the Mayor of said town to convey by warranty deed to Wil'iam M. Cannon, for and on behalf of the said Town the following described lands and to legalize, validate and confirm deed executed on the 17th day of May, 1927, conveying the said described lot or parcel of land to the said William M. Cannon: a certain strip of land situated in the Town of Fayette, State of Alabama, bounded as follows: on the east by Traylor Street or Old Tuscaloosa or Carollton Road, west by Block 6, south by Southern R. R. Right of Way, on the north by Block 6, and on west by Foreacre Street or Johnson Park, according to the James' survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is herey given of the intention to introduce and pass at the adjourned session of the Legislature which convenes in June 1927, a bill, the substance of which is as folows:

AN ACT

To validate the proceedings of The Town Council of the Town of Fayette, Alabama, held on May 16th, 1927, authorizing the Mayor of said Town to convey by warranty deed to William M. Cannon, for and on behalf of the said Town the following described lands and to legalize, validate and confirm deed executed on the 17th day of May, 1927, conveying the said described lot or parcel of land to the said William M. Cannon: A certain strip of land situated in the Town of Fayette, State of Alabama, bounded as folows: on the east by Traylor Street or the Old Tuscaloosa or Carollton Road, West by Block 6, South by Southern R. R. Right of Way, on North by Block 6, and on West by Foreacre Street or Johnson Park, according to the James' survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama.

Whereas, at a regular meeting of the Town Council of the Town of Fayette, Alabama, an ordinance was duly and legally adopted authorizing the Mayor to convey by warranty deed to William M. Cannon the said above described lands and,

Whereas, under the authority of said ordinance and in pursuance thereof the Mayor of said Town did on the 17th day of May, 1927, execute a warranty deed conveying the said described lands to the said William M. Cannon, Now therefore,

Be it enacted by the Legislature of Alabama:

Section 1. That an ordinance adopted on May 16th, 1927, authorizing the Mayor of the Town of Fayette, Alabama, to execute a warranty deed to William M. Cannon, conveying the following described lands for and on behalf of the Town of Fayette, Alabama:

A certain strip of land situated in the Town of Fayette, State of Alabama, bounded as follows: On the East by Traylor Street or the old Tuscaloosa or Carrollton Road, West by Block 6, South by Southern R. R. Right of Way, on North by Block 6, and on West by Foreacre Street or Johnston Park, according to the James' Survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama, and all proceedings had at said meeting of said Town Council in the adoption of said ordinance be and the same is hereby validated, and that the warranty deed executed by the Mayor of the Town of Fayette, conveying to William M. Cannon on the 17th day of May, 1927, in pursuance and under the authority of said ordinance be legalized, ratified, validated and confirmed.

STATE OF ALABAMA,
Fayette County.

Before me, W. L. Harris, a Notary Public in and for said County and State aforesaid, personally appeared Thos. M. Peters, Jr., who being duly sworn, deposes and says that he is the publisher of the Northwest Alabamian, a weekly newspaper published in the Town of Fayette and State of Alabama, and that a certain advertisement (a true copy of which is hereto attached) has been published in said paper for four consecutive weeks and the respective numbers and dates of said newspaper in which said publication was are as follows, to-wit:

No. 1. the 25th day of May, 1927,
No. 2. the 1st day of June, 1927.
No. 3. the 8th day of June, 1927,
No. 4. the 15th day of June, 1927.

Thos. M. Peters, Jr.
Publisher.

Sworn to and subscribed before me, this 16th day of June, 1927.

W. L. Harris.
Notary Public.

Also:

By Mr. Sanders of Conecuh:

H. 619. To amend Section 5 of an Act approved Sept. 29th 1919 entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said County; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that Section 5 as amended shall read as follows:

Notice and Proof of H. 619.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a Bill will be introduced at the present session of the Legislature of Alabama, to amend Section Five of an Act entitled, An Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office," approved September 26, 1919, so that said section five as amended shall read as follows:

Section 5: That such solicitor shall receive as compensation for his services twenty four hundred dollars per annum, to be paid to him in monthly installments by the county depository of said County out of the fees taxed against defendants, as provided for in the last preceding section of this Act; provided, that the fees so taxed and paid to the county depository of said county during the year shall amount to twenty four hundred dollars; but if they do not, then and in that event, said Solicitor shall only receive the fees that have been so taxed and paid to the county depository of said county. If, at the end of the year, the fees so taxed and paid into the county depository of said county shall exceed twenty four hundred dollars, the excess shall be transferred to and become a part of the general fund of said county, and shall be paid out in the same manner as other moneys belonging to said fund are paid out.

STATE OF ALABAMA,
Conecuh County.

Before me, Carol J. King, a Notary Public in and for said State and County, personally appeared Mrs. Alice C. Whitcomb, who being sworn says on oath that she is editor and publisher of the Conecuh Record, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated May 19th, 1927, and the second insertion being in issue dated May 26th 1927, the third insertion being in issue dated June 2nd 1927, and the fourth insertion being in issue dated June 9th, 1927.

Alice C. Whitcomb,

Sworn to and subscribed before me this 20th day of June, 1927.

Carol J. King,

(Seal) Notary Public in and for said State and County.

Also:

By Mr. Miller of Sumter:

H. 706. To Amend an Act to amend an Act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said County, approved February 22nd, 1919, which act was approved November 1st, 1921.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given as provided by law, that a bill substantially as follows wil be introduced in the legislature of Alabama, viz:

AN ACT

To amend An Act to amend An Act to estabish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said County, approved February 22nd, 1919, which Act was approved November 1st, 1921.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 1 of An Act entitled An Act to amend An Act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved November 1st, 1921, be amended so as to read as follows:

Section 1. Be it enacted by the Legislature of Alabama: That there is hereby established a Board consisting of seven persons, a President and six associates, who shall be qualified electors of Sumter County, and shall be called the Board of Revenue of Sumter County. That the County of Sumter shall be and hereby is divided into six districts as follows: District No. 1, composed of the following Precincts or Beats, viz: Gainesville, Lacy, Preston, Hares, Warsaw. District No. 2, composed of Livingston, Bluffport, Jones Bluff, Sumterville and Payneville, District No. 3, composed of York and Earbee. District No. 4, composed of Black Bluff, Gaston and Cotohaga. District No. 5, composed of Thornville, Intercourse and Cuba, District No. 6, composed of Brewersville and Belmont.

THE STATE OF ALABAMA,
County of Sumter.

Before me, Geo. O. Miller, a Notary Public in and for said County, in said State, personally appeared W. H. Lawrence, who, being by me first duly sworn, deposes and says as follows:

That he is Editor and Publisher of the Our Southern Home, a newspaper published in Livingston, Sumter County, Alabama; that said newspaper is a weekly newspaper; that the attached notice was published once a week for four consecutive weeks in said newspaper, said notice appearing in said newspaper on the following dates: May 18th and 25th, June 1st and 8th, 1927.

W. H. Lawrence.

Sworn to and subscribed before me, on this the 18th day of June, 1927.

Geo. O. Miller,
Notary Public Sumter County, Alabama.

Also:

By Mr. Edmundson:

H. 560: To vacate anl abolish as a public street or highway and to annul and extinguish all dedications as a public street or highway of that part of Eighth Avenue according to the map of North Birmingham Land Company recorded in Map Book 1, at page 111 in the Probate Office of Jefferson County, Alabama, (said Eighth avenue now being sometimes known and referred to as 28th avenue north in the City of Birmingham, Jefferson County, Alabama,) lying between the westerly boundary line of Fourth street according to said map (said Fourth street now being sometimes known and referred to as 26th street in said City) and the easterly boundary line of Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and that portion of said avenue lying between the westerly boundary line of said Fifth street according to said map(said Fifth street being now sometimes known and referred to as 25th street in said City) and the easterly boundary line of Sixth street according to said map (said Sixth street being now sometimes known and referred to as 24th street in said City)."

With Notice and Proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
Jefferson County.

Personally appeared before me, Bessie Stephens, a Notary Public in and for said County, in said State, G. M. Howle, who, having first been duly sworn, deposes and says:

That The Weekly Call is a newspaper published in the City of Birmingham, Jefferson County, Alabama, and that said newspaper has been published in said City, County and State for more than one year prior to this date, and that he has been the Editor and Proprietor of said newspaper for more than one year prior to this date, and that the notice set forth below was published in said newspaper once a week for four consecutive weeks, said notice being published in said newspaper on May 21st, 1927, May 28th 1927, June 4th, 1927, and June 11, 1927. The notice referred to above was in words and figures as follows:

"Notice is hereby given of the intention of the Birmingham Tank Company to apply for the passage of a special or local law by the Legislature of the State of Alabama vacating and abolishing as a public street or highway and annulling and extinguishing all dedications as public street or highway of that part of Eighth Avenue according to the map of North Birmingham Land Company recorded in Map Book 1, at page 111 in the Probate Office of Jefferson County, Alabama, (said Eighth Avenue now being sometimes known and referred to as 28th Avenue north in the City of Birmingham, Jefferson County, Alabama,) lying between the westerly boundary line of Fourth Street according to said map (said Fourth Street now being sometimes known and referred to as 26th Street in said

City) and the easterly boundary line of Fifth Street according to said map (said Fifth Street being now sometimes known and referred to as 25th Street in said City) and that portion of said Avenue lying between the westerly boundary line of said Fifth Street according to said map (said Fifth Street being now sometimes known and referred to as 25th Street in said City) and the easterly boundary line of Sixth Street according to said map (said Sixth Street being now sometimes known and referred to as 24th Street in said City)."

Geo. M. Howle.

Sworn to and subscribed before me, this 13 day of June, 1927.

Bessie Stephens,
Notary Public in and for Jefferson County, Alabama.

Also:

By Mr. Darden:

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

With Notice and Proof thereto attached and herewith exhibited as follows:

A BILL

To be Entitled An Act to provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Ala., to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

Be it Enacted by the Legislature of Alabama:

Section 1. That the office of County Superintendent of Education of Coosa County Alabama, shall be filled by the election of a County Superintendent of Edcuation of the county by the qualified electors of the county, at the general election in 1930, and the person elected shall go into office at the expiration of the term of the present County Superintendent of Education of Coosa County, and shall hold office until the general election in 34, or until his successor is elected and qualified. Thereafter the term of office shall be for four years after his election and until his successor is elected and qualified. Provided, however, should the office of County Superintendent of Education of Coosa County, Alabama, become vacant for any cause prior to the general election, in 1928, then and in that event, a County Superintendent shall be elected and shall hold office until the general election, in 1930, when a County Superintendent shall be elected and shall thereafter hold office for four years from his election and until his successor is elected and qualified.

Section 2. Any party or political organization may nominate a candidate for this office in any manner provided by law to be voted on in the general elections, who possesses the qualifications hereafter set out.

Section 3. That the salary of the County Superintendent of Education of Coosa County, Alabama, shall be fixed by the County Board of Education of said county, not to be less than eighteen hundred dollars and not more than twenty four hundred dollars, which shall not be increased or decreased during the term of office. However, nothing herein shall prevent the County Board of Education from allowing expenses incurred by the County Superintendent of Education while away from his office in discharging the duties of his office. The salary shall be paid as now or may hereafter be provided by law for paying County Superintendents of Education in the several counties of this state.

Section 4. The County Superintendent of Education of Coosa County, Alabama, shall be charged with the same duties and shall exercise the same powers as are now provided by the general school laws of the state or that may hereafter be required by law.

Section 5. No person shall be eligible for political or party nominations for County Superintendent of Education of Coosa County, or for election to said office, who does not hold a first grade teacher's license, or its equivalent, under the laws of this state, and who has successfully taught thereunder for at least three years in the public schools of this state; or who is a graduate of some recognized college, university, or normal school, with at least two year's experience in teaching, and in each case must be a person of good moral character, not less than twenty-five years of age and a bona fide resident and qualified elector of Coosa County, Alabama.

Section 6. Before entering upon the duties of the office of County Superintendent of Education, he shall make and file with the Probate Judge of said county the constitutional oaths, and shall execute and file a bond in the office of the Probate Judge of the county, in such sum as may be required by the State Board of Education, with some surety company as surety authorized to do business in this State, conditioned for the faithful discharge of the duties of the office of County Superintendent of Education, and to account for all moneys and property of the State or County coming into his hands or possession as such County Superintendent of Education.

Section 7. Nothing in this act shall be construed to prevent women who meet the requirements of this act from being nominated and elected to the office of County Superintendent of Education and where the words "he" "him" or "his" appear in this act shall also be construed to include and mean "she" or "her" in the purview of this act.

Section 9. In the event of the office of County Superintendent of Education of Coosa County, Alabama, becoming vacant from any cause, then the County Board of Education, shall elect a County Superintendent of Education of Coosa County, Alabama, who meets the qualifications of this act, to serve until the next general election and no longer, and the person so elected, at such election, shall hold office until the expiration of the unexpired term of his predecessor by election.

Section 10. Should there be no one offering for the office of County Superintendent of Education, or should there be no one who meets the qualifications of this act for County Superintendent of Education in Coosa County then in either event the County Board of Education shall have authority to elect a County Superintendent of Education who is not a citizen or elector of the county, to serve until the next general election and no longer.

Section 11. Should a court of competent jurisdiction declare any clause, part of section or sections of this act unconstitutional, then the remaining parts of this act shall be and remain in full force and effect and operative.

Section 12. For good cause the County Board of Education shall have authority to remove the County Superintendent of Education; provided, that charges or specification for removal shall be reduced to writing and signed by the Chairman of the Board and approved by a majority of the County Board of Education and served on the County Superintendent at least ten days before the date set for the hearing which shall be public. Good cause shall be held to include only immorality, misconduct in office, incompetency, or willful neglect of duty of his office. Such charges must be proved by competent and relevant testimony, under oath and the County Superintendent of Education shall be entitled to be heard in his defense in person or by attorney or both. In event of removal by the County Board of Education the right of appeal to Circuit Court shall be given to the County Superintendent of Education for a trial by jury. The hearing before the County Board of Education shall be governed by the same rules, regulations and laws regulating the impeachment of the county officers.

Section 13. All laws, general, special or local in conflict with the provisions of this act are hereby repealed.

To Whom This May Concern:

Notice is hereby given that the foregoing local bill for Coosa County, Alabama, in substance, will be introduced for passing at the present session of the Alabama Legislature.

John A. Darden,
Representative Coosa County, Alabama.

STATE OF ALABAMA,
Coosa County.

Personally appeared before me, the undersigned authority in and for said County and State, Wallace P. Pruitt, who first being duly sworn doth depose and say on oath:

That he is the owner, publisher and editor of The Rockford Chronicle, a weekly newspaper published and printed in Rockford, Coosa County, Alabama. That the attached notice of a local bill was published in four consecutive issues of said newspaper, being the issues of the dates of May 26th, June 2nd, 9th and 16th, 1927.

Wallace P. Pruitt,

Subscribed and sworn to before me this the 17th day of June, 1927.

J. O. Steele,
Register in Equity, Coosa County, Alabama.

Also:

By Mr. Miller of Sumter:

H. 331. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County: approved February 22, 1919: and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, as provided by law, that a bill substantially as follows will be introduced in the Legislature of Alabama, viz:

AN ACT

To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County: approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Be it enacted by the Legislature of Alabama:

Section 1: That section six of an act entitled An Act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County approved February 22, 1919, be amended so as to read as follows: Section 6: Be it further enacted, that the president of said Board of Revenue shall be its presiding officer and shall sign the minutes of the proceedings of the Board of Revenue, and shall have the same power and authority as the other members in passing upon all questions, and shall sign all contracts entered into by the Board of Revenue in Sumter County.

It shall be his duty to prepare business and obtain information for the sessions of the Board of Revenue, and to see that all orders thereof are properly executed. He shall exercise all duties required of the Judge of Probate as to matters coming before the Court of County Commissioners, except it shall be the duty of the clerk of the Board of Revenue to sign all warrants drawn on the County Treasury, and all orders for the payment or disbursement of money or funds of the county, after they have been passed upon by the Board of Revenue.

Section 2: Be it further enacted by the Legislature of Alabama that Section 7 of the act entitled An Act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said county approved February 22, 1919, be amended so as to read as follows:

Section 7: Be it further enacted, that said Board of Revenue shall elect a Clerk, who may be a member of the Board and may fix his compensation, and shall require of him bond for the faithful performance of his official duties, in such amount as may be fixed by the Board; and may employ such other clerical assistance as may be necessary, and it shall be the duty of the Clerk of the Board of Revenue to attend the meetings of the Board and issue all notices required by said Board of Revenue. The Clerk shall, under the direction of the Board of Revenue, keep the minutes and proceedings of the said Board of Revenue in well bound volumes provided for that purpose. Said records to be kept in the office of the Board of Revenue, and to be open at all reasonable hours to the inspection of the citizens of the county and other interested persons, and the clerk shall perform such duties and matters as may be required of him by said Board of Revenue. The compensation of said clerk and of all other clerical assistance shall be fixed by said Board of Revenue, and his term of office shall be at the pleasure of said Board of Revenue.

Section 3: Be it further enacted by the Legislature of Alabama that Section 13 of the Act entitled An Act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, approved November 1, 1921, be amended so as to read as follows:

Section 13: Be it further enacted, That there shall be elected at the general election in the county of Sumter, in the year 1926, and every six years thereafter, one member from District No. 2, and one member from District No. 3, who shall qualify within fifteen days after the returns shall have been canvassed, and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January, next after their

election, and shall hold their offices for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1928, and every six years thereafter, one member from District No. 1 and one member from District No. 6, and a President from the county at large who shall qualify within fifteen days after the returns shall have been canvassed, and shall enter upon the discharge of their duties on the first Monday, after the second Tuesday in January, next after their election, and shall hold office for a term of six years, and until their successors are elected and qualified. That there shall be elected at the general election in Sumter County in the year 1930, and every six years thereafter one member from District No. 4 and one member from District No. 5, who shall qualify within fifteen days after the returns have been canvassed, and shall enter upon the discharge of their duties on the first Monday after the second Tuesday in January next after their election, and shall hold office for a term of six years, and until their successors are elected and qualified.

That the qualified voters of the county shall be eligible to vote at any election for any member from any District and that the President may reside in any District in the County.

THE STATE OF ALABAMA,
Sumter County.

Before me W. W. Patton a Notary Public in and for said State and County personally came W. H. Lawrence, who being first duly sworn deposes and says: That he is publisher of Our Southern Home, a weekly newspaper published in Sumter County, Alabama, that attached notice of a bill to amend an act relative to the Board of Revenue of Sumter County was published in his paper for four consecutive weeks, beginning with the issue of 19th day of January, 1927 and the three issues immediately succeeding.

W. H. Lawrence.

Sworn to and subscribed before me on this the 10th day of February, 1927.

W. W. Patton,
(Seal) Notary Public.

Also:

By Mr. McAdory:

H. 554. To establish an inferior Court in precinct Twelve of Jefferson County Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all Justices of the Peace and notares public, with powers of Justice of the Peace in said precinct Twelve of Jefferson County, Alabama, and to define the jurisdiction and powers of said court and of the Judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all Justice of the Peace, and Notary public Ex-officio Justice of the peace in said precinct.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

To All Whom It May Concern:

You will take notice that at the present session of the Legislature of Alabama, there will be introduced a bill to creae and establish an Inferior Court in Precinct Twelve of Jefferson County, Alabama, in lieu of all Justice of the Peace Courts, and Notaries Public with Justice of the Peace powers, to be known as the Inferior Court of Leeds, and an attempt to have said bill enacted into law.

Said bill will provide in substance as follows:

For an Inferior Court o be held at Leeds, Alabama, to take the place of and in lieu of all the Justice of the Peace Courts and Court of Notaries Public with powers of Justice of the Peace in said Precinct Twelve of Jefferson County, Alabama, and fix the term of said court, and provide for both civil and criminal jurisdiction of same, and the extent of said jurisdiction, and the powers of said court, and the name of same, and fix the terms of said court.

For the abolishment of all Justice of the Peace Courts, and Courts of Notaries Public with Justice of the Peace powers, in said Precinct Twelve, and provide for the court created by this bill handling the business, and issuing process on judgments already obtained in said Justice Courts, and a transfer of the cases pending in same to this court.

For a Judge of said Inferior Court, and for the appointment of said Judge, shall fix the terms of office of said Judge, fix the salary of said Judge and provide for the payment of said salary out of the treasury of Jefferson County, and shall fix the qualifications and powers of said Judge of said Court.

Will provide that the Board of Revenue of Jefferson County, Alabama, shall at the expense of the county, provide a place for holding said Court, and provide heat, lights, dockets, blanks and stationery for said Court.

Will provide for fees and costs to be taxed and collected and paid into the treasury of Jefferson County when collected, except the Constable's cost, which shall be collected and paid to the Constable of said precinct.

That the Sheriff of Jefferson County and the Constable of Precinct Twelve of Jefferson County shall be officers of said Court and shall execute its processes.

That the Judge of said Court shall issue all processes of said Court, and shall prescribe rules of practice in same, not inconsistent with the laws of Alabama.

That appeals and certiorari shall be provided for from said Court, and governed by the same laws as now obtain for same from Justice of the Peace Courts of Alabama.

That judgments of said Court may be recorded in the office of the Probate Judge and the effect of recording same.

That the Judge of said Court may appoint a special Constable in cases of emergency.

State of Alabama,
Jefferson County.

Before me. W. L. Acuff, a Notary Public, in and for said County, in said State, personally appeared Thomas D. Hudson who being by me first duly sworn, deposes and says, that he is the editor of The Jefferson Countian, a newspaper published at Leeds in Jefferson County, Alabama, and which is a weekly newspaper, that the notice, a copy of which is hereto attached, was published in said newspaper once a week for four consecutive weeks, and appeared in said paper in its regular issues of January 20th, January 27th,

February 3d, Feb. 10th, 1927, which said notice was published without cost to the State of Alabama.

Thomas D. Hudson.

Sworn to and subscribed before me this the 18 day of Feb., 1927.

W. L. Acuff,
Notary Public.

Also:

By Mr. Simpson:

H. 692. Ratifying, confirming and making effective the Act approved September 29th, 1919, as of the date of its approval, creating as an item of Court costs in Circuits of two hundred thousand or more population, a "Library Tax" of $2.00 and providing for its payment and collection:

Ratifying, confirming and making effective, as the date of its approval, the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of said Act certain classes of cases:

Ratifying, and confirming the payment, receipt and collection by the Clerk of the Circuit Court of all sums that have been paid as and for "Library Tax" costs under the aforesaid Act approved September 19th, 1919:

With Notice and Proof thereto attached and herewith exhibited as follows:

EXHIBIT "A"

Notice is hereby given of the intention to apply for the enactment ,by the Legislature of Alabama of a law, in substance, as follows:

A BILL

To Be Entitled An Act Ratifying, confirming and making effective the Act approved September 29th, 1919, as of the date of its approval, creating as an item of Court costs, in Circuits of two hundred thousand or more population, a "Library Tax" of $2.00 and providing for its payment and collection:

Ratifying, confirming and making effective, as the date of its approval the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of the said Act certain classes of cases:

Ratifying and confirming the payment, receipt and collection by the Clerk of the Circuit Court of all sums that have been paid as and for "Library Tax" costs under the aforesaid Act approved September 19th, 1919:

Be it Enacted by the Legislature of Alabama, as follows:

Section I. That the following Act, approved September 29th, 1919, (General Acts of 1919, page 825.):

"AN ACT

To provide a fund for support of a Law Library for the Circuit Court in Counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

"Be it enacted by the Legislature of Alabama as follows:

"Section (1) That in all civil (including equity) cases hereafter filed in or brought by appeal or certiorari to the Circuit Court, of counties of two hundred thousand or more inhabitants, there shall be taxed as costs the sum of two dollars in each case to be collected as other costs are collected, and to be paid to the clerk of such Circuit Court. That said sum of two dollars shall be called the "Library Tax," and shall be expended by the Circuit Court of such county by orders of the presiding Judge thereof, for maintaining a Law Library for such Circuit Court."

Be it and it is hereby ratified and confirmed and made effective as of and from the date of its approval September 29th, 1919.

Section II. Be it further enacted by the Legislature of Alabama, that the folowing Act, approved September 27th, 1923 (General Acts of 1923, page 560-1), amendatory to the Act reproduced in Section I herein above:

"AN ACT

To amend An Act entitled "An Act to provide a fund for support of a Law Library for the Circuit Court in Counties of two hundred thousand or more inhabitants, without appropriations from the State or County Treasury," approved September 29th, 1919.

"Be it enacted by the Legislature of Alabama: That an Act entitled "An Act to provide a fund for support of a Law Library for the Circuit Court in Counties of two hundred thousand or more inhabitants, without appropriations from the State or County Treasury," be and the same is hereby amended so as to read as follows:

"Section 1. That in all civil (including equity) cases hereafter filed in or brought by appeal or certiorari to the Circuit Court, of counties of two hundred thousand or more inhabitants, there shall be taxed as costs, the sum of two dollars in each case to be collected as other costs are collected, and to be paid to the clerk of such Circuit Court. That said sum of two dollars shall be called the "Library Tax" and shall be expended by the Circuit Court of such county by orders of the presiding Judge thereof, for maintaining a Law Library for such Circuit Court.

"Section 2. That this Act shall not apply to cases filed by municipalities for the purpose of selling property for the collection of taxes due such municipalities. It is the intent of this Act that it be construed as retroactive, and that such Library tax shall be collected in no case filed by any municipality for the purpose of collecting taxes due such municipality since the passage of the Act approved September 29, 1919. That in the event any Register of the Circuit Court in such Counties has failed to collect said Library Tax that he and the sureties on his bond are relieved from any liability whatsoever for the same.

"Section 3. That all laws or parts of laws in conflict herewith be and the same are hereby expressly repealed.

"Section 4. That this Act shall go into effect immediately after its passage."

Be and it is hereby ratified, confirmed and made effective as of and from the date of its approval of September 27th, 1923.

Section III. Be it further enacted by the Legislature of Alabama, that the collection or reecipt of all sums by the Clerk of the Circuit Court as and for "Library Tax Costs" under the aforesaid Act approved September 29th, 1919 (excepting those noted in the Act reproduced in Section II of this Act) is hereby ratified, confirmed and made valid in all respects.

Be it further enacted by the Legislature of Alabama, that if any section or provision of this Act be held void or unconstitutional, it shall not affect or destroy the validity or constitutionality of any other section or provision hereof which is not of itself void or unconstitutional.

R. H. Scrivner,
President Birmingham Bar Association.

STATE OF ALABAMA,
Jefferson County.

Personally appeared before me, the undersigned authority in and for said County, in said State, A. H. Cather, who being by me first duly sworn, deposes and says as follows:

That he is editor and manager of the Southern Labor Review, a newspaper published weekly in the State of Alabama, County of Jefferson and City of Birmingham, and that the notice, a true copy of which is attached hereto as Exhibit "A" and made a part hereof, was published in said paper for four consecutive weeks, which publications were on January 19th, January 26th, February 2nd and February 9th, 1927.

A. H. Cather,

Sworn to and subscribed before me this the 15th day of June, 1927.

J. C. Sheehan,
Notary Public.

Also:

By Mr. Simpson:

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of a law, the substance of which proposed law is as follows:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and rearranged.

Be it enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, be, and the same are, hereby extended, changed, altered and rearranged so that the boundary lines and corporate limits of said Town shall embrace and include all that territory of land embraced and included in the following limits and boundaries, to-wit:

Begin at the northeast corner of Section 7, Township 17 South, Range 2 West, thence west along the north line of Section 7, Township 17 South, Range 2 West, 2762.75 feet to its intersection with the east boundary of the main line right of way of the Louisville & Nashville Railroad Company, thence south along said east boundary line of said right of way of Louisville & Nashville Railroad Company's main line 1257 feet to the south right of way line of the county road, thence at an angle of 81 degrees 15 minutes to the left 224.3 feet, thence at an angle of 8 degrees 36 minutes to the left 609.6 feet, thence with an angle of 87 degrees 26 minutes to the right

1804.8 feet, thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet, thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal, thence with an angle of 137 degrees 28 minutes to the left, following said northwestern right of way line 3138.37 feet to a point of curvature, thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 682.61 feet to a point of curvature, thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency, thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south line of the northwest quarter of northwest quarter of Section 8, Township 17 South, Range 2 West, thence 714.98 feet west along the said south line of northwest quarter of northwest quarter of Section 8, Township 17 South, Range 2 West, to the east line of Section 7, Township 17 South, Range 2 West, thence with an angle of 88 degrees 38 minutes to right, running north along said east line of Section 7, Township 17 South, Range 2 West, 1322.3 feet to the point of beginning. Situated in Jefferson County, Alabama.

Section 2. That all that territory embraced within said area described in Section 1 hereof be, and the same is, hereby included within and made a part of said Town of Tarrant City.

Section 3. That the boundaries and corporate limits of the said Town of Tarrant City, as hereby extended, altered and rearranged, shall be, and are, hereby defined and established as follows:

Beginning at the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, thence north along the east boundary of the west half of the northwest quarter of said Section 9 and along the east boundary of the west quarter of Section 4, Township 17 South, Range 2 West, to the northeast corner of the northwest quarter of northwest quarter of said Section 4, thence west along the north boundary of Section 4 and Section 5, Township 17 South, Range 2 West, to its intersection with the west bank of Five Mile Creek; thence down said Five Mile Creek along its north and west bank and following the meandering of same to its intersection with the eastern boundary line of the right of way of the main line of the Louisville and Nashville Railroad Company, thence in a southerly direction along said eastern boundary line of the right of way of the Louisville & Nashville Railroad Company, to its intersection with the south right of way of the county road, at a point 1257 feet south of the north boundary of Section 7, Township 17 South, Range 2 west thence with an angle of 81 degrees 15 minutes to the left 224.3 feet; thence with an angle of 8 degrees 36 minutes to the left 609.6 feet; thence with an angle of 87 degrees 26 minutes to the right 1804.8 feet; thence with an angle of 24 degrees 23 minutes 30 seconds to the right 500 feet; thence with an angle of 21 degrees to the left 1057.6 feet to an intersection with the northwestern right of way line of the Birmingham Waterworks Company's canal; thence with an angle of 137 degrees 28 minutes to the left, following said right of way line of said canal 3138.37 feet to a point of curvature; thence on a 26 degree curve to the left through an arc of 11 degrees 10 minutes a distance of 43.32 feet to a point of tangency; thence following said tangent and traversing said right of way line 682.61 feet to a point of curvature; thence on a 26 degree curve to the right through an arc of 4 degrees 55 minutes a distance of 19.07 feet to a point of tangency; thence following said tangent and traversing said northwestern right of way line 466.4 feet to its intersection with the south boundary line of the northwest quarter of the northwest quarter, Section 8, Township 17 South, Range 2 West; thence east along the said boundary line of the northwest quarter of the northwest

quarter, Section 8, to the southeast corner of the northeast quarter of the northwest quarter, Section 8, Township 7 South, Range 2 West; thence south along the west boundary line of the southwest quarter of the northeast quarter, Section 8, Township 17 South, Range 2 West, to its intersection with the south line of Oak Park Addition as recorded in Book of Maps, Volume Nine (9), page eighty-five (85), Probate Office of Jefferson County, Alabama; thence east along said south line of said Oak Park Addition to the west line of the southeast quarter of the northeast quarter of said Section 8; thence south along the west line of the southeast quarter of the northeast quarter of said Section 8 to the southwest corner of the southeast quarter of the northeast quarter of said Section 8; thence east along the east and west center line of Sections 8 and 9, Township 17 South, Range 2 West, to the southeast corner of the southwest quarter of the northwest quarter of Section 9, Township 17 South, Range 2 West, the point of beginning. Situated in Jefferson County, Alabama.

Section 4. That all laws and parts of laws in conflict or inconsistent with this Act be, and are, hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

Published by order of the Town Council of the Town of Tarrant City, Alabama.

WALLACE WELLS, Town Clerk.

THE STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority, in and for said County, in said State, personally appeared the undersigned Chas. T. Atkinson, who being by me duly sworn deposes and on oath says that he is the Managing Editor of the Tarrant City Booster, a newspaper published in the Town of Tarrant City, in Jefferson County, Alabama, and that the foregoing notice and copy of an act to extend, alter, and re-arrange the boundary lines of the corporate limits of the Town of Tarrant City was published without cost to the State of Alabama, in the issues of said Tarrant City Booster for four consecutive weeks, viz: in the ssues of said paper published on April 29th, 1927, May 6th, 1927, May 13th, 1927 and May 20th, 1927.

CHAS. T. ATKINSON,
Mgr. Editor.

Subscribed and sworn to before me this the 13 day of June, 1927.
(Seal)
Walla C. Wells,
Notary Public.

Also:

By Mr. Ward of Tuscaloosa (Notice and Proof) (By request):

H. 707. To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, in lieu of the Courts of the Justices of the Peace and Notaries Public with powers ex-officio of Justices of the Peace in and for the precincts lying within or partly within the City of Tuscaloosa, Alabama, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama and the jurisdiction of the Probate Court of Tus-

caloosa County, Alabama, as regards domestic relations; and to abolish the offices of all of the Justices of the Peace and Notaries Public with ex-officio powers of the Justices of the Peace in and for all precincts in Tuscaloosa County, Alabama, lying within or partly within the City of Tuscaloosa, Alabama; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of proceedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provile for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

With Notice and Proof thereto attached and herewiht exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the adjourned Session of the 1927 Session of the Legislature of Alabama, which reconvenes on June 7th, 1927, in substance as follows:

A BILL

To be Entitled An Act to establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, in lieu of the Courts of the Justices of the Peace and Notaries Public with powers ex-officio of Justices of the Peace in and for the precincts lying within or partly within the City of Tuscaloosa, Alabama, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama as regards domestic relations; and to abolish the offices of all of the Justices of the Peace and Notaries Public with ex-officio powers of the Justices of the Peace in and for all precincts in Tuscaloosa County, Alabama, lying within or partly within the City of Tuscaloosa, Alabama; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of proceedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method

of issuing warrants returnable to said Court and to define and provide for the proceedings in said Court.

Be it enacted by the Legislature of Alabama:

Section One. That an Inferior Court of civil and criminal jurisdiction is hereby established in Tuscaloosa County, Alabama, which said Court shall be a Court of Record and shall be called the Inferior Court of Tuscaloosa County and shall be in lieu of all Courts of all Justices of the Peace and Notaries Public ex-officio with the powers of the Justices of the Peace in and for all precincts in said County, lying within, or partly within the City of Tuscaloosa, Alabama.

Section Two. There is hereby conferred on said Inferior Court of Tuscaloosa County, all of the criminal and civil jurisdiction as is now exercised by the Justices of the Peace throughout the County of Tuscaloosa, Alabama, and all the jurisdiction of the County Court of Tuscaloosa, Alabama, the Juvenile Court of Tuscaloosa County, Alabama, and of the Probate Court of said County as regards domestic relations.

Section Three. The offices of the Justices of the Peace and the Notaries Public Ex-officio with powers of Justices of the Peace for the precincts lying within or partly within the City of Tuscaloosa, Alabama, and the County Court, and the Juvenile Court of and for said County of Tuscaloosa are hereby abolished.

Section Four. The said Court for the maintenance and exercise of jurisdiction as conferred by this Act, shall have and exercise all the general powers and jurisdiction conferred by law on Justices of the Peace, on the County Court of Tuscaloosa County, Alabama, and on the Juvenile Court of said County, and all of the powers and jurisdiction conferred by law on the Probate Court of said County as in domestic relations.

Section Five. The Circuit Clerk of Tuscaloosa County shall act and be Clerk of the Inferior Court hereby established and he shall keep a civil and criminal docket of all cases brought before said Court and all of the minutes and records as are now required by law to be kept by Justices of the Peace, and by the Clerk of the County Court of said County, and such records and dockets as are required of the Juvenile Court, and of the Probate Court of said County as regards matters of domestic relations. He shall have authority to issue all necessary summons and complaints, as to all cases filed in said Court, and all other civil and criminal process which Justices of the Peace, the Clerk of the County Court, and the Clerk of the Juvenile Court and the Probate Court of said County as regards matters of domestic relations, are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in said County. It shall be the duty of said Clerk to tax and collect in each civil case in said Inferior Court the same costs and fees for services of the Clerk and Sheriff and witnesses in civil cases in said Court as are now allowed by law to be assessed, charged and collected for same in the Justice of the Peace Courts, and the same costs, fines and fees in criminal cases as are now allowed by law to be assessed, charged and collected in the Justice of the Peace Courts, in all criminal cases, of which the Justices of the Peace now have jurisdiction. In all other criminal cases the same costs, fines, and the same fees for the services of the Solicitor, Clerk and the Sheriff and witnesses in said Court shall be assessed and collected as are now provided by law to be assessed and collected for such offenses in the County Court of Tuscaloosa County, Alabama, except that the trial tax in all criminal cases shall be $3.00 in each case and the trial tax in all civil cases shall be $1.00 in each case. The Sheriff's fees collected by said Court shall be paid over to the Sheriff by the Clerk on the first Monday of each month. Any money paid to said Clerk on judgments rendered in said Court shall be paid to the plaintiff or his attorney, on demand. All the costs and fees allowed the Solicitor and Clerk of said Court, and all wit-

nesses fees shall be collected by said Clerk and all such amounts so collected except witness fees, shall be paid by said Clerk into the County Treasury on the first Monday of each month, provided that the witness fees assessed and collected by the Clerk shall be retained by him and paid over to the witness entitled to same, and to be assessed, collected and handled as are witness fees so assessed, collected, and handled in the Circuit Court of Tuscaloosa County. And the Clerk shall be paid and allowed to retain in settlement with the County from the fees collected in the Inferior Court the said fees hereby above allowed to be assessed and collected as Clerk's costs and the said Clerk shall be allowed and paid the same amount as he is now allowed and paid as ex-officio Clerk of the County Court of Tuscaloosa County, Alabama. The Clerk shall attend upon the duties of said court at such hours as are designated by the Judge thereof and shall perform such other clerical duties as may be prescribed by the Judge of said Court. The Clerk shall keep a final record and issue certificates of judgment; and for the issuing of said certificates of judgment he shall be allowed the same fees as are now allowed for the issuing of certificates of judgment in the Circuit Court of Tuscaloosa County, Alabama.

The certificate of judgment hereinabove provided to be issued by the Clerk shall, upon being recorded in the Probate Office of said County,, become a lien in the same manner and under the same regulations as now provided for certificates of judgment issued out of the Circuit Court of Tuscaloosa County, Alabama.

Section Six. All process of whatever kind and nature issued out of this Court shall be addressed to the Sheriff of Tuscaloosa County, or any deputy sheriff of said County, or any constable of said County, who shall execute the same. When required by the Judge of said Court, the Sheriff shall furnish a bailiff for said Inferior Court of Tuscaloosa and the said Sheriff shall receive the sum of $2.50 per day for each days service in said Court of said bailiff. The said per diem of said bailiff shall be paid out of the County Treasury of Tuscaloosa County. For the execution of all processes issued out of said Court, the sheriff or constable shall receive the same fees as is now provided to be paid the Sheriff for such process issued out of the Circuit Court of Tuscaloosa County.

Section Seven. Be it further enacted that thirty days after the approval of this Act the terms of office of all Justices of the Peace in and for the precincts lying within or partly within the City of Tuscaloosa, Alabama, and the Notaries Public with powers ex-officio of Justices of the Peace, shall expire, and the said offices of all of the Justices of the Peace and Notaries Public with powers ex-officio of Justices of the Peace, in the said territory be and hereby are abolished, and the dockets, official papers and records of all kinds of their respective office shall be delivered to the Clerk of the Inferior Court of Tuscaloosa by said Justices, and all causes pending in said Justice Courts shall be by such delivery transferred to the said Inferior Court and executions and other process for the collections of the judgments of said Justice Courts may be issued from said Inferior Court, including executions for costs, and upon the collections of costs in any case accrued before said transfer, the Clerk of the said Inferior Court shall pay said costs to the Justice of the Peace, Sheriff or Constable entitled thereto and shall take a receipt therefor, which shall be entered on the docket of said cause.

Section Eight, In suits before said Inferior Court it shall be no objection to the jurisdiction of said Inferior Court that any defendant if not a resident of the City of Tuscaloosa or that the cause of action did not arise in the City of Tuscaloosa, or that the debt was not created in the City of Tuscaloosa, or that the offense charged did not occur in the City of Tuscaloosa; provided that the residence of such defendant in civil cases is in the County of Tuscaloosa, Alabama, if such defendant has a permanent

residence in the State, or that the cause of action arose in Tuscaloosa County; and provided further the law as now set forth in the Code of Alabama of 1923 in Chapter 353 Articles 1 and 2, shall apply to venue in said Inferior Court of Tuscaloosa County, Alabama; and provided further that in criminal cases the offense occurred in Tuscaloosa County, Alabama.

Section Nine. The said Clerk before entering upon the discharge of his duties as ex-officio clerk of said Inferior Court shall be required to furnish to the Probate Judge of Tuscaloosa County, a bond with good and sufficient sureties in the sum of Three Thousand Dollars, to be conditioned and approved in the same manner as is the bond of the Clerk of the Circuit Court of Tuscaloosa County, Alabama.

Section Ten. Be it further enacted that there shall be a Judge of said Court and the first Judge thereof shall be appointed by the Governor and shall hold office until the first Monday after the second Tuesday in January, 1931; that said Judge at the time of his appointment, shall have been a resident of the County of Tuscaloosa for at least one year and shall be at the time of his appointment at least twenty five years of age and shall be learned in the law.

Section Eleven. Be it further enacted that the Judge of said Court shall receive a salary of $3600.00 per annum payable monthly out of the County Treasury upon his warrant drawn upon the County Treasurer, or County Depository. The said Judge shall not be permitted to practice law in any Court, or otherwise engage in the practice of law.

Section Twelve. Be it further enacted that the Deputy Solicitor of Tuscaloosa County shall be the Solicitor of the Inferior Court of Tuscaloosa County and shall attend all sessions of said Court and do and perform all duties of a Solicitor therein and in addition attend and represent the State at all preliminary hearings therein.

Section Thirteen. Be it further enacted that said Deputy Solicitor shall receive a salary of $1800.00 per annum payable monthly out of the County Treasury upon his warrant drawn upon the County Treasurer, or County Depository, and this shall be in lieu of any other salary now provided to be paid him.

Section Fourteen. Be it further enacted that at the general election to be held in November, 1930, an election shall be held for office of Judge of the Inferior Court of Tuscaloosa in the County of Tuscaloosa at the voting places in said County at which said election qualified electors of said County shall have an opportunity to vote for their choice for said Judgeship and the said Judge so elected shall hold office from the first Monday after the second Tuesday in January, 1931, for a period of four years and that thereafter at the general election held in November every four years after the first election herein provided there shall be elected a Judge who shall hold office for four years and whose term of office shall begin and end on the days provided for the beginning and ending of the first Judge so elected. And such Judge so elected at the time of his election shall have been a resident of the County of Tuscaloosa for at least one year and shall be at the time of his election twenty five years of age and shall be learned in the law.

Section Fifteen. Whenever for any cause there shall be a vacancy in said office the same is to be filled in the same manner as now provided by the law for filling vacancies of Judgeships in the Circuit Courts of the State.

Section Sixteen. The Judge of said Court is hereby given the powers to punish for contempt of Court to the same extent and under the same provisions and rules and regulations as are now provided for the punishment of contempt of Court in the Circuit Court of Tuscaloosa County, Alabama.

Section Seventeen. The Clerk of said Court and all the Justices of the Peace and Notaries Public ex-officio Justices of the Peace within the County of Tuscaloosa are hereby given the power to issue warrants returnable to said Court for any offense over which the said Court has jurisdiction; but no such warrant shall be issued except upon the written approval of the Solictor of the Deputy Solicitor of said County, endorsed thereon.

Section Eighteen. In all civil cases in said Court, the defendant shall have ten days after service to plead, answer, or demur in any proceedings brough therein against said defendants and criminal cases may be set down for trial after the expiration of ten days after arrest of the defendant.

Section Nineteen. The same provisions in reference to the filing of interrogatories to parties in litigation and the same provisions in reference to taking of depositions as are now or may hereafter be provided for in the filing of interrogatories and the taking of depositions in the Circuit Courts of Alabama, shall apply to the filing of interrogatories and the taking of depositions in this Court.

Section Twenty. In the matter of necessary process, service, or proceedure in this Court, not herein specifically provided for, the manner of process, service, or proceedure, as is now provided for in the Circuit Courts of this State, shall apply and govern.

Section Twenty-One. It is hereby provided that on Monday of each week there shall be held a call of the docket of said Court for the handling, trial and disposing of criminal cases, Juvenile Court cases, and the handling, trial and disposing of cases in regard to domestic relations over which this Court has jurisdiction, and on Tuesday of each week there shall be a call of the docket in said Court for the handling and trial of civil cases and said Court shall continue in sessions as long as necessary to dispose of the docket and the Court shall be open for business and trial at all other times, but the Judge thereof shall fix the hours for the holding of said Court; and provided further that from the 20th day of December of each year to the 1st day of February thereafter and from the 20th day of June each year to the 1st day of August thereafter terms of said Court shall be held only in the discretion of the Judge of said Court.

Section Twenty-Two. From any judgment of said Court the defendants in criminal cases and the State in such cases where appeals are allowed to the State and the parties in all civil cases shall have the right of appeal to the Circuit Court of Tuscaloosa County under the same regulations and requirements as now or may hereafter govern appeals from the Courts of Justices of the Peace in the State of Alabama in civil cases and the same regulations and requirements as now govern appeals from the County Court to the Circuit Court in criminal cases in said State and the bonds furnished or required shall be governed by the same law as now regulate appeals in the said respective Justice Courts and County Court and to be approved by the Clerk of said Court.

Section Twenty-Three. In the event the Judge of this Court recuses himself or is incompetent to sit in any case the Circuit Judge shall have the right to appoint as special Judge any practicing attorney in Tuscaloosa County to serve in the place of the regular Judge and said special Judge shall receive as compensation for said service the per diem amount that the said regular Judge receives to be paid out of the County Treasury upon his warrant drawn thereon; and the said Judge of this Court shall have the right to recuse himself in a case which he thinks it proper for him to do so. In the event he recuses himself, or is incompetent to sit for more than two days in any one month the per diem amount paid to the special Judge serving in his place shall be deducted from the monthly salary herein provided to be paid him.

Section Twenty-Four. Whenever the word clerk of said inferior Court appears in this Act the same shall be taken and construed to mean "ex-officio clerk."

Section Twenty-five. Be it further enacted that this Act shall become effective thirty days after its approval by the Governor.

Section Twenty-Six. Be it further enacted. That if any section or provision of this Act shall be declared to be void or unconstitutional it shall not effect or destroy the validity or constitutionality of any other section or provision therein which is not in and of itself void or unconstitutional.

Section Twenty-Seven. All laws and parts of laws, general, local and special, contrary to the provisions of this Act are hereby repealed.

THE STATE OF ALABAMA,
County of Tuscaloosa.

Before me, the undersigned, E. S. Clarkson, a Notary Public in and for said State and County, personally appeared Aaron Miller, who being duly sworn, deposes and says that he is the editor and publisher of the Tuscaloosa News and Times Gazette, a newspaper published in Tuscaloosa County, Alabama, and that notice contained in the excerpt from said newspaper pasted to this page, of intention to apply to the legislature from the enactment of a law, was published in the said Tuscaloosa News and Times Gazette once a week for four consecutive weeks, the first publication having been made in the issue of said newspaper of May 25th, 1927, and the following three publications in the issues of said newspaper were June 1st, 8th, and 15th, 1927, respectively.

Aaron Miller,

Sworn to and subscribed before me this 16th day of June, 1927.

E. S. Clarkson,
Notary Public.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE.

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 653, 324, 535 To the Committee on Finance and Taxation.

H. B.'s 600, 621, 560, 555 and 693. To the Committee on Municipalities and Municipal Organizations.

H. B.'s 257, 303, 423, 424, 706 and 331. To the Committee on Local Legislation.

H. B.'s 599, 583, 390, 691, 619, 554 and 707. To the Committee on Judiciary.

H. 573. To the Committee on Banking and Insurance.

H. 304. To the Committee on Agriculture.

H. 351. To the Committee on Public Health.

H. B.'s 702, 562, 670 and 692. To the Committee on Revision of Laws.

H. B.'s 357 and 649. To the Committee on Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted:

By Mr. Goode:

H .J. R. 88. Resolved, by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again Friday, July 15th, 1927.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE.

Mr. Brown, Chairman of the Rules Committee, reported the following substitute for H. J. R. 88, set out in the foregoing Message from the House, to-wit:

Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Wednesday, July 13th, 1927.

Which was adopted, and said resolution as thus amended, was also adopted.

BILLS ON THIRD READING.

The Bill:

H. 220. To promote the public health, convenience and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands of the State of Alabama; to provide for the establishment of levee or drainage districts and sub-districts thereof, for the purpose of enlarging or changing any natural water-courses and for digging ditches or canals for securing better drainage or providing better outlets for drainage; to provide for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; to define offenses against drainage districts and providing penalties therefor; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for the assessment and collection of the costs and expenses of installing drainage systems and issuing and selling bonds therefor, and for the care and maintenance of such improvements when constructed, not in excess of the increased value of such property by reason of the special benefits derived from such improvements.

Was read a third time at length and passed.

Yeas, 21; Nays, 2.

Yeas:
Messrs:

Bradford	Hall	James	Stokes
Brown	Hines	Justice	Thompson
Carlton	Holmes	Loflin	Warren
Cowan	Jack	Mitchell	Williams
Craft	Jackson	Stanley	Young
Fite			

—21

Nays:—Messrs. Caffey and Jones.—2.

BILL TEMPORARILY POSTPONED

On motion of Mr. Warren, the further consideration of:

S. 145. To provide for the appointment of an Assistant Soliictor for each Judicial Circuit in the State which is composed of one county only which has a population of fifty thousand inhabitants and not more than sixty five thousand inhabitants according to the last Federal census or any subsequent census, to fix the term of said office, to prescribe the duties and authority of said Assistant Solicitor, and to fix his compensation.

Was postponed until the Thirty-fifth Legislative Ray.

The Bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

Was taken up.

Mr. Ellis, of Dallas, moved that the further consideration of said bill be postponed until the next Legislative Day.

Mr. Ellis, of Shelby, moved that the motion of Mr. Ellis, of Dallas, be laid upon the table, which motion prevailed, and the Senate refused to postpone consideration of said bill.

Yeas, 14; Nays, 12.

Yeas:
Messrs.:

Brown	Ellis of Shelby	Justice	Nolen
Caffey	Hall	Loflin	Thompson
Cowan	Holmes	Mitchell	Young
Craft	Jones		

—14

Nays:
Messrs:

Bonner	Ellis of Dallas	Jack	Teasley
Bradford	Fite	Jackson	Walker
Carlton	Hines	James	Walton

—12

The question was upon the amendment to said bill reported by the Standing Committee on Finance and Taxation; said amendment being as follows:

Amend Section 2 of H. B. 359, to read as follows:

Section 2. Every person, firm, company, corporation or association of persons, who sells tobacco, tobacco products or tobacco substitutes, such as cigars, cigarettes, cheroots, smoking tobacco of any kind in any form or any substitute therefor, within the State of Alabama, shall pay to this State for State purposes only, a license or privilege tax of an amount equal to fifteen per cent (15%) of the wholesale sales price of such to-tobacco or tobacco products sold within this State; provided that if any person, firm, corporation or association of persons shall include in any sale of goods, wares or merchandise, any tobacco or tobacco products enumerated herein, or shall give with the purchase of any goods, wares or merchandise any tobacco or tobacco products enumerated herein, there shall be paid as a license or privilege tax hereunder an amount equal to fifteen per cent of the amount for which such goods, wares or merchandise is sold.

(a) The payment of the tax as imposed by this section shall be based on the wholesale selling price of the articles enumerated herein, and only one sale made of the same article within the State shall be used in computing the amount of the tax due.

(b) Where the wholesale price or selling price is referred to in this Section as the basis for computing the amount of tax required to be paid on any of the articles named herein, it is intended to mean the wholesale selling price of the article before adding the amount of the tax.

(c) The State Tax Commission of the State of Alabama shall administer the provisions of this section and shall enforce the payment of the tax imposed herein.

(d) All payments of the taxes herein imposed shall be made to the State Tax Commission of Alabama, at Montgomery, Alabama, with check or draft made payable to the State Treasurer of Alabama which payments shall be made on or before the tenth day of each month for the taxes due under the provisions of this section for selling or otherwise disposing of tobacco or tobacco products during the next preceding month.

(e) All persons, firms, corporations or association of persons who shall sell or otherwise dispose of tobacco or tobacco products shall keep and preserve for three years all invoices of tobacco and tobacco products bought by them and shall permit the State Tax Commission or its authorized agent or representative to inspect and examine all taxable merchandise, invoices, books, papers, and memoranda as may be deemed necessary by the State Tax Commission or its authorized agent or representative in ascertaining whether the tax levied herein has been paid, or to determine the amount of such tax as may be due. All such persons, firms or corporations selling or otherwise disposing of

tobacco or tobacco products as enumerated herein at wholesale shall keep a record of all sales made within this State, showing the name of the purchaser, the date of sale and the address of the purchaser. Any person, firm or corporation or association of persons required to pay taxes levied herein, who fails to make and preserve said invoices for a period of three years, or refuses to permit the inspection and examination of taxable merchandise, invoices, books, papers and memoranda at the request of the State Tax Commission or its duly authorized agent or representative, shall be deemed a violator of the provisions of this section and shall be fined or imprisoned, as set out in subsection (f) of this section.

(f) Any such person, firm or corporation, or association of persons, as defined in this section, who shall fail or refuse to permit the State Tax Commission or its duly authorized agent or representative to examine and inspect the taxable stocks of merchandise, invoices, books, paper and memoranda deemed necessary to secure the information directly concerned in the enforcement of this section, shall suffer a penalty of twenty dollars ($20.00) for the first offense; fifty dollars ($50.00) for the second offense; one hundred dollars ($100.00) for each offense thereafter; the said penalties to be collected by civil process as hereinafter provided. Any such person who refuses to make the tax return hereinafter provided for, or who makes any false or fraudulent return or statement in any return, with the intent to defraud the State or to evade the payment of the tax, or any part thereof imposed by this section; or if the president or any other officer of any corporation or company makes or permits to be made for any corportion or association any false return or any false statement in any return required in this section, with the intent to evade the payment of any tax hereunder, shall be deemed a violator of this section and shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than one thousand dollars $1,000) or imprisoned not exceeding one year in the county jail, or punished by both fine and imprisonment, at the discretion of the court, within the limitations aforesaid. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, with the intent to defraud the State or to evade the payment of the tax imposed herein, shall be guilty of perjury and on conviction thereof shall be punished in the manner provided by law. Any company for which a false return or a return containing a false statement as aforesaid shall be made, shall be guilty of a misdemeanor and may be punished by a fine of not more than one thousand dollars ($1,000). The Circuit and Criminal Courts of the county in

which the offender resides, or if a corporation, in which it carries on business, shall have concurrent jurisdiction to enforce this section.

(g) The State Tax Commission shall prescribe and have printed blank forms to be known as "tobacco tax return." Such forms shall be prepared with a view of obtaining from persons engaged in selling or otherwise disposing of tobacco or tobacco products, such information as may, by the State Tax Commission, be deemed necessary for the collection of the taxes imposed herein. The distribution of the tax return blanks shall be made through such agencies as may be deemed most expedient by the State Tax Commission.

(h) Every person, firm, corporation or association of persons who sells or deals in tobacco or tboacco products as defined herein, within the State of Alabama, or who gives away or includes any such tobacco or tobacco products in the sale of any goods, wares or merchandise for the purpose of evading, or with the intent to evade the payment of the tax imposed by this section, shall, when such tobacco or tobacco products are sold to retail merchants or other persons for resale within the State of Alabama, make and deliver to the persons to whom any such tobacco or tobacco products are sold or delivered, an invoice or bill showing the price for which such articles are sold and shall also enter on said invoice or bill the amount of tax required to be paid to the State of Alabama under provisions of the section, and if the tax has been paid, it shall be so stated or entered on such invoice or blil, or if the person making the sale or delivery of any tobacco or tobacco products herein defined, elects to assume the payment to the State of the tax required by this section, it shall be so certified to on such invoice or bill. It shall be a violation of this section to enter on any invoice or bill any false statement, made with the intent to evade the payment to the State of the tax imposed under this section. Any person making such false statement or entry on any invoice or bill of tobacco or tobacco products, shall be guilty of a misdemeanor, and on conviction therefor, shall be punished by fine or imprisonment, or both, as set out in subsection (f) of this section.

(i) Persons, firms, corporations or associations of persons, who sell or deal in tobacco or tobacco products shall not be required to make out and file with the State Tax Commission a report covering the sales of any tobacco or tobacco products defined herein, that have been purchased or obtained from any dealer in such article, whose place of business is located within the State of Alabama, when entry or statement has been made on the invoice or bill for such articles that the tax herein imposed has been paid, or that such tax is assumed by the person or dealer whose business is located in the State of Alabama. Pro-

vided that any person, firm, corporation or association of persons whose place of business is located outside the State of Alabama and from which place of business any tobacco or tobacco products are shipped to purchasers within this State, may file with the State Tax Commission of Alabama a bond in the sum of ten thousand dollars ($10,000) to secure to the State the payment of the tax imposed by this section and which tax is assumed by said person, firm, corporation or association of persons located outside of the State. Persons, firms, corporations or associations of persons, who ship tobacco or tobacco products from places outside the State to points within the State, shall, if they elect to assume the taxes imposed herein, comply with all provisions of this section. A report of sales included in any invoices or bills which have entered thereon a certificate of payment or assumption of the tax imposed by this section by such persons, firms, corporations, or associations of persons located outside the State shall not be required. It is expressly provided hereby that the tax imposed herein shall not apply to interstate commerce, but shall apply to business done wholly within the State of Alabama.

(j) The State Tax Commission shall have the power, and it shall be its duty to require any person, firm, corporation or association of persons engaged in the sale of tobacco and tobacco products as described herein, to furnish any information by it deemed necessary for the purpose of enforcing the payment of this tax. The State Tax Commission or its duly authorized agent or representative shall have power to enter upon the premises of any taxpayer required to pay taxes under the provisions of this section, and it shall be its duty to examine or cause to be examined any taxable stocks of merchandise, invoices, books, papers, or memoranda bearing upon the amount of taxes payable, and to secure other information directly concerned in the enforcement of this section. It shall have power to examine witnesses and administer oath thereto, and should such witnesses fail or refuse to appear and answer questions at the request of the State Tax Commission, and should any person, members of any firm, officers of corporations, or members of associations of persons required to pay taxes hereunder, refuse to allow the State Tax Commission or its duly authorized agents to examine taxable stocks of merchandise, or invoices, books, papers or memoranda above referred to, the State Tax Commission shall certify the facts and the names of the witnesses so failing and refusing to appear, and the names of the persons, firms, or member or members thereof, corporations or officers or managers or employees thereof, and associations of persons or members thereof, who refuse access to the taxable stocks of merchandise or in-

voices, books, papers and memoranda above referred to, to the Circuit Court having jurisdiction of the said party or parties; and said court shall thereupon issue a summons to said witness, person, member or members of said firms, officer or manager or employee of such corporation, or association of persons or member thereof, to appear before the State Tax Commission or its duly authorized agent, at a place designated within the jurisdiction of the said court on a day to be fixed, to be continued as occasion may require, and give such evidence and open for inspection such stocks of taxable merchandise, invoices, books, papers and memoranda as may be required for the purpose of ascertaining whether or not the required tax has been paid, or the amount of such tax which may be due under the provisions of this section; and whenever it shall appear to the State Tax Commission that any such person, firm, corporation or association of persons engaged in selling or otherwise disposing of tobacco or tobacco products, as described in this section, has failed to pay the taxes due, as provided herein, the State Tax Commission shall compute the correct amount of tax due and so certify same as being the amount actually due and owing, and shall state in what way this section is violated and shall concurrently notify such person, firm, corporation or association of persons of such facts; and in the event such person, firm, corporation or association of persons shall not, within five days after such notification, pay the amount of tax found to be due and owing, the State Tax Commission shall, in the name of the State, enter suit against such person, firm, corporation or association of persons for the amount due and owing, together with such penalties as are provided in this section, or for the amount of such penalties alone. Such suit shall be by rule to show cause within five days why payments should not be made and shall be tried by preference, and may be tried out of term time and in chambers. If the court upon determining the issue upon said rule shall adjudge the defendant in said rule as being due and owing, the tax as alleged in said rule or any part thereof, or that the defendant has violated this section as alleged, in the same judgment the court shall assess the penalty fixed in subsection (f) of this section, and the court, at its discretion, may allow reasonable attorney's fees in said judgment. All such penalties as may be assessed in said judgments, together with such tax, shall be collected and deposited as a part of the tax.

(k) The tax imposed by this section shall become delinquent five days after the same becomes due, as provided in subsection (d) of this section. A penalty of twenty-five per cent of the amount of the tax herein imposed shall be added and collected as a part of the tax when said tax becomes delinquent. A

penalty of five percent per month for each month shall be assessed, added and collected from persons, firms, corporations or associations of persons for failure to make such reports as are required herein. The license or privilege tax imposed by this section, and all penalties provided herein, shall, after approval by the State Tax Commission, as to the amount due, have full force and effect of a judgment on which execution may be issued by the State Tax Commission, directed to any sheriff in the State of Alabama, or such taxes may be collected by civil process, as provided by law for the collection of other taxes due the State.

(l) It shall be the duty of the State Tax Commission to report in detail all violations hereunder to the Circuit Solicitor having jurisdiction over such offenses, as soon as practicable and without unnecessary delay. The conviction and sentence for the violation of the provisions of this section or subdivision thereof, as provided, shall in no way interfere with the imposition and collection of the civil penalties provided in subsection (f) of this section.

(m) The cost of the inspection, auditing duties, and printing of blank forms required herein shall be paid out of the money collected under this section.

(n) If any clause, sentence, paragraph or part of this section shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this section, but shall be confined in its operation to the clause, sentence, paragraph or any part thereof involved in the controversy in which said judgment has been rendered.

(o) That the revenue derived under the provisions of this section, less the expense of administration, shall be appropriated exclusively for the maintenance or support of the schools of the State.

(p) The provisions of this Act shall go into effect on October 1st, 1927.

Mr. Teasley offered the following substitute for said Committee amendment, to-wit:

SUBSTITUTE FOR COMMITTEE AMENDMENT TO SECTION 2.

Section 2. That when used in this Act, the term "person" or the term "company" herein used interchangeably, includes any individual, firm, co-partnership, association or corporation or any other group or combination acting as a unit and the plural aswell as the singular number, unless the intention to give a more limited meaning is disclosed by the context. The term "State Tax Commission" means the State Tax Commission of the State of Alabama. The term "tax year" or "taxable year" means the

calendar year. The term "gross sales" includes the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale. The word "taxpayer" means any person liable for taxes hereunder. The term "gross receipts" means the value proceeding or accruing from the sale of tangible, personal property, or service, or both, and all receipts, actual and accrued, by reason of any business engaged in, including fees or other emoluments however designated (not including, however, interest, discounts, rentals or royalties) and without any deduction on account of the cost of the property sold, the cost of the material used, labor cost, or any other expenses whatsoever, and without any deductions on account of losses. The words "business," "occupation," vocation," "calling" or profession," as used in this Act, shall include all activities engaged in, or caused to be engaged in, with the object of gain, profit, benefit or advantage, either direct or indirect (except salaried employees), and not excepting subactivities producing marketable commodities used or consumed in the main business activity, each of which sub-activities shall be considered business engaged in, taxable in the class in which it falls.

(a) That from and after the thirtieth day of June, 1927, there is hereby levied, and shall be collected as provided herein privilege or license taxes against the persons on account of the business activities, and in the amounts to be determined by the application of rates against gross sales or gross receipts as the case may be, as follows:

Upon every person engaged or continuing within this State in the business of mining, and producing for sale, profit or use, any coal, iron ore, gas, limestone, gravel, sand, asphalt, or other mineral products, for sale, profit or use, the amount of such tax to be at the rate of one dollar per thousand for each one thousand dollars or fractional part of each one thousand dollars of gross proceeds derived from the sale thereof by the producer. The measure of this tax is the value of the entire production in this State, regardless of the place of sale, or the facts that deliveries may be made to points outside of the State.

(b) Upon every person engaging or continuing within this State in their respective businesses, there is likewise hereby levied, and shall be collected on account of the business engaged in, as follows:

Steam railroads at the rate of ten dollars per thousand for each one thousand dollars or fractional part of each one thousand dollars of gross receipts; street railways, ten dollars per thousand for each one thousand dollars or fractional part of each one thousand dollars of gross receipts; companies producing pipe lines carrying oil or gas, ten dollars per thousand for each one

thousand dollars or fractional part of each one thousand dollars of its gross receipts; telegraph, telephone, express and water companies, ten dollars per thousand for each one thousand dollars or fractional part of each one thousand dollars of its gross receipts. All other public service companies or utilities, ten dollars per thousand dollars or fractional part of each one thousand dollars of its gross receipts.

(c) Upon all electric light or power companies engaging or continuing within this State in business, there is hereby levied and shall be collected taxes on account of the business engaged in at the rate of ten dollars per thousand for each one thousand dollars or fractional part of each one thousand dollars of gross income of said business.

The measure of this tax is the gross receipt of the entire production of power within this State, regardless of the place of sale, or the fact that deliveries may be made to points outside of this State.

(d) Upon every person engaging or continuing within this State in the business of manufacturing, compounding, or preparing for sale, profit or use, any article or articles, substance or substances, commodity or commodities, the amount of such tax to be at the rate of fifty cents per thousand for each one thousand dollars or fractional part of each one thousand dollars of the gross sales of the articles manufactured, compounded, or prepared for sale.

The measure of this tax is the value of the entire products manufactured, compounded or prepared for sale, profit or use in this State, regardless of the place of sale or the fact that deliveries may be made to points outside of this State.

If any person liable for tax under sub-sections (a) and (d) of this Act shall ship or transport his products, or any part thereof, out of the State without making sale of such products, the value of the product or articles in the condition or form in which they existed when transported out of the State, shall be the basis for computing the tax imposed under this Act, and the State Tax Commission shall prescribe equitable and uniform rules for ascertaining the taxes due.

In determining values of sales from one to another of affiliated companies or persons, or under circumstances where the buyer and seller is such that the gross sales are not indicative of the true value of the subject-matter of the sale, the State Tax Commission shall prescribe equitable and uniform rules and regulations for determining the basis upon which such privilege or license tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sale of similar products of like quality or character by other taxpayers where no common in-

terest exists between the buyer and seller, but otherwise under similar circumstances and conditions.

(e) Upon every person engaging or continuing within the State in the business of selling any tangible personal property whatsoever (not including, however, bonds or other evidences of debt, or stocks) there is hereby levied and shall be collected a tax of one dollar per thousand for each one thousand dollars or fractional part of each one thousand dollars of the gross sales of such business; and provided, however, that in the case of a wholesaler or jobber, the tax shall be at the rate of fifty cents per thousand on each one thousand dollars or fractional part of each one thousand dollars on the gross sales of said business. The classification of wholesaler or jobber shall be used only by any person doing a regularly organized jobbing business, known to the trade as such, and having regularly in its exclusive employment one or more traveling salesmen. If any taxpayer shall be engaged in wholesale mercantile business and in retail mercantile business as defined by the provisions of this Act, he shall show in his return the gross receipts of retail mercantile business separately from the gross receipts obtained from wholesale mercantile business, and he shall pay the tax imposed by the provisions of this Act at the rate specified for each of such business conducted by him.

(f) For every person engaging or continuing within this State in the business of operating a theatre, opera house, moving picture show, vaudeville, amusement park, dance hall, skating rink, race track, or any other place at which amusements are offered the public, the rate shall be two dollars per thousand on each one thousand dollars or fractional part of each one thousand dollars of the gross receipts of any such businesses.

(g) Upon every person engaging or continuing within this State in any business, vocation, occupation, calling or profession, not incorporated in the preceding sections, there is hereby levied and shall be collected a privilege or license tax equal to one dollar per thousand on each one thousand dollars or fractional part of each one thousand dollars of the gross receipts from any such business, vocation, occupation, calling or profession.

(h) The privilege or license tax levied herein shall be for the State only, and no license tax shall be paid to any county under the provisions of this Act.

(i) All persons exercising privileges taxable under Section 2 of this Act, who also produce minerals, the production of which is taxable under sub-section (a) of this section, and using or consuming same in their business, shall be deemed to be engaged in the business of mining and producing minerals or timber for sale, profit or use, and shall be required to make returns on ac-

count of the production of said minerals or timber showing the gross proceeds therefrom, or the equivalent thereof, in accordance with uniform and equitable rules for determining the value upon which such privilege tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sale of similar products of like quality or character by other tax payers, which rules the State Tax Commission shall prescribe.

(j) There are, however, exempted from the provisions of this Act: (1) Gross sales of agricultural products, live stock, cattle, or other commodities raised on the farm and sold by the producer thereof. (2) Labor, agricultural and horticultural societies, and organizations not operated for profit; cemetery companies which are organized and operated exclusively for the benefit of their members; fraternal benefit societies, orders or associations operating under the lodge system, or for the exclusive benefit of the members of the fraternity itself operating under a lodge system, and providing for the payment of death, sick, accident, or other benefits to the members of such societies, orders or associations, and to their dependents; mutual building and loan associations, operated exclusively for the benefit of their members; corporations, associations or societies organized and operated exclusively for religious, charitable, scientific or educational purposes; business leagues, chambers of commerce, boards of trade, civic leagues, and organizations operated exclusively for the benefit of the community and for the promotion of social welfare; none of which companies, organizations, corporations or societies named in clause (2) of this sub-section are organized for profit and no part of the income from which inures to the benefit of any private stockholder or individual.

(k) Section 2 of this Act shall take effect on January 1, 1928, and all taxpayers upon whom a tax is levied and imposed under said section shall file with the State Tax Commission under oath on forms prepared and furnished by said State Tax Commission during the month of January of each year a statement of the name and style of the business, the location of the head office and each other place of its business, the kind of business done and transacted, and whether the taxpayer is an individual, partner, corporation or association, and the name of the president or other person in general charge of the business, and such other information as the State Tax Commission shall require. Each and every taxpayer going into business after January 1 of each year shall file such report with the State Tax Commission within thirty days after business is begun. The State Tax Commission shall prepare and furnish to the several probate judges of the counties for the use of the taxpayers the necessary blank forms to be so used.

(k½) The taxes levied hereunder shall be payable in quarterly installments on or before the epiration of thirty days from the end of the quarter in which the tax accrues. The taxpayer shall, within thirty days from the expiration of each quarter, make out an estimate of the tax for which he is liable for such quarter, verify the same by oath, and mail the same together with a remittance for the amount of the tax to the State Tax Commission. Provided, however, that when the total tax for which any person is liable under this Act does not exceed the sum of twenty-five dollars in any pear, the total amount of said tax shall be payable at the end of the month next following the close of the tax year.

(l) On or before thirty days after the end of the tax year each person liable for the payment of a tax under this Act shall make a return showing the gross sales, or gross receipts of business, and compute the amount of taxes chargeable against him in accordance with the provisions of this Act, and deduct the amount of quarterly payments, (as hereinbefore provided), if any, and transmit with his report a remittance covering the residue of the tax chargeable against him to the office of the State Tax Commission, such return shall be verified by the oath of the taxpayer, if made by an individual, or by an oath of the president, vice-president, secretary or treasurer of a corporation if made on behalf of a corporation. If made on behalf of a partnership, association, or any other group or combination acting as a unit, any individual delegated by such partnership, association or any other group or combination acting as a unit, shall make the oath on behalf of the taxpayer. If for any reason it is not practicable for the individual taxpayer to make the oath, the same may be made by any duly authorized agent. The State Tax Commission, for good cause shown, may extend the time of making the annual return on the application of any taxpayer and grant such reasonable additional time within which to make the same as may by him be deemed advisable.

(m) If the taxpayer shall make any error in computing the tax assessable against him, the State Tax Commission shall correct such error, or re-assess the proper amount of taxes, and notify the taxpayer of their action by mailing to him promptly a copy of the corrected return, and any additional tax for which such taxpayer may be liable shall be paid within ten days after the receipt of such statement.

(n) If any person fails or refuses to make a return, the State Taxx Commission shall proceed, in such manner as may seem best, to obtain facts and information on which to base the assessment of tax herein prescribed; and, to this end, they may, or their duly appointed agent may, make examination of the

books, records and papers of any such person, and may take the evidence on oath of any person whom he may believe shall be in possession of facts or information pertinent to the subject of inquiry, which oath they, or the agent so appointed by them, may administer. As soon as possible after procuring such information as they may be able to obtain with respect to any person failing or refusing to make a return, the State Tax Commission shall proceed to assess the tax against such person, and shall notify him of the amount thereof, and his act shall be final as to any person who refused to make a return.

(o) The tax imposed by this Act shall be a lien upon the property of any person subject to the provisions hereof who shall sell out his business or stock of goods, or shall quit business, and such person shall be required to make the return provided for under sub-section (1) of this section within thirty days after he sold out his business or stock of goods, or quit business, and his successor in business shall be required to withhold sufficient of the purchase-money to cover the amount of said taxes due and unpaid until such time as the former owner shall produce a receipt from the State Tax Commission showing that the taxes have been paid. If the purchaser of a business or stock of goods shall fail to withhold purchase-money as provided and the taxes shall be due and unpaid after the thirty-day period allowed, he shall be personally liable for the payment of the taxes accrued and unpaid on account of the operation of the business by the former owner.

(p) The assessfent of taxes herein made and the returns required thereof shall be for the year ending on the thirty-first day of December of each year.

(q) All remittances of taxes imposed by this Act shall be made to the State Tax Commission by bank draft, certified check, money order, or certificate of deposit, who shall issue receipts therefor to the taxpayers, and shall pay the money into the State Treasury, to be kept and accounted for as provided by law.

(r) The several judges of probate shall withhold the issuance of any certificate of dissolution of any corporation organized under the laws of this State until the receipt of a notice from the State Tax Commission to the effect that the tax levied under this Act against any such corporation has been paid or provided for, if any such corporation is a taxpayer under the law, or until he shall be notified by the State Tax Commission that the applicant is not subject to pay a tax hereunder.

(s) It shall be unlawful for any person to refuse to make the return provided to be made under this Act, or to make any false or fraudulent return or false statement in any return, with intent to defraud the State, or to evade the payment of the tax, or

any part thereof, imposed by this Act; or for any person to aid or abet another in any attempt to evade the payment of the tax, or any part thereof imposed by this Act; or for the president, vice-president, secretary or treasurer of any company to make or permit to be made for any company or association any false return, or any false sttaement in any return required in this Act, with the intent to evade the payment of any tax hereunder. And any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than one thousand dollars, or imprisoned not exceeding one year in the county jail, or punished by both fine and imprisonment, at the discretion of the court, within the limitations aforesaid. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, with the intent aforesaid, shall be guilty of the offense of perjury, and, on conviction thereof, shall be punished in the manner provided by law. Any company for which a false return or a return containing a false statement as aforesaid shall be made, shall be guilty of a misdemeanor and may be punished by a fine of not more than one thousand dollars. Prosecutions under this Act may be maintained in any court having jurisdiction of misdemeanors in the county in which the offender resides, or, if a company, in which it carries on business.

(t) The administration of this Act is vested in and shall be exercised by the State Tax Commission, who shall prescribe easily understood forms and reasonable rules of procedure in conformity with this Act for making of returns and for the ascertainment, assessment and collection of the taxes imposed hereunder, and the enforcement of any of the provisions of this Act in any of the courts of the State shall be under the exclusive jurisdiction of the State Tax Commission, who may require the assistance of the circuit solicitor, deputy solicitor or county solicitor of any county or circuit, and who may, with the approval of the Governor, employ special counsel in any county to aid the solicitor, the compensation of which special counsel shall be fixed in advance by and paid only upon the order of said State Tax Commission, with the approval of the Governor.

(u) The license inspectors of the several counties of the State, when required to do so by the State Tax Commission, shall enforce the collection of all delinquent privilege and license taxes levied under the foregoing sections of this Act, and shall have all the power and authority in enforcing the provisions of said Act as is conferred upon them in the enforcement of the collection of other delinquent license taxes due the State, and shall receive the same fees and emoluments therefor, to be added to

the tax collected. Provided, however, that no taxpayer shall be required to pay any penalties, other than interest, until February first of each year.

(v) Every officer and agent of the State issuing a receipt for any moneys collected under the terms of the preceding sections of this Act shall show upon such receipt that the money so collected from the taxpayer is to be paid into the Alabama Special Educational Trust Fund established in the next section of this Act.

(w) All revenue levied and collected under the provisions of Section 2 of this Act shall be paid into the State Treasury of Alabama as a trust fund for educational purposes only to be designated as The Alabama Special Educational Trust Fund, and shall be kept separate and apart from all other funds in the State Treasury, and shall be paid out by the Treasurer on lawful appropriations hereafter more specifically from such funds by the Legislature of Alabama for educational purposes. Provided, however, that if any moneys remain in the Treasury of the State after all warrants drawn against said fund for educational purposes shall have been paid, the Governor, with the approval of the State Tax Commission, may order such residue paid into the general funds of the State on or after July 1st of the year next following any tax year.

(x) No taxpayer upon whom a tax is levied or imposed under the provisions of Section 2 of this Act shall pay to the State a sum less than five dollars per calendar year, five dollars per year being the minimum license imposed under said section. If the tax levied and imposed, as shown by verified reports made as provided herein, be more than five dollars, the tax shall be paid by the taxpayer in such amounts and in accordance with the rate and volume applicable to the class of business done by such taxpayer, as provided for in the other sub-sections of this Act.

(y) If any clause, sub-section, sentence, paragraph or part of the preceding section shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sub-section, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Mr. Ellis of Shelby, moved that the substitute offered by Mr. Teasley for said Committee amendment be laid upon the table, which motion prevailed and said substitute was tabled.

Yeas, 25; Nays, 3.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	James	Nolen
Brown	Ellis of Shelby	Jones	Stanley
Caffey	Fite	Justice	Stokes
Carlton	Hall	Loflin	Thompson
Cowan	Holmes	Mitchell	Walker
Craft	Jack	Nixon	Young
Edgar			

—25

Nays:—Messrs. Bradford, Treasley and Warren.—3.

The question then recurred on the adoption of the amendment offered by the Committee.

Mr. Ellis of Shelby, moved that said committee amendment be laid upon the table, which motion prevailed and said amendment was tabled.

Yeas, 23; Nays, 2.

Yeas:
Messrs:

Bonner	Craft	James	Nolen
Bradford	Edgar	Jones	Stanley
Brown	Ellis of Shelby	Justice	Stokes
Caffey	Fite	Loflin	Warren
Carlton	Hall	Mitchell	Young
Cowan	Holmes	Nixon	

—23

Nays:—Messrs. Ellis of Dallas and Jack.—2.

The following amendment to said bill offered by the Standing Committee on Finance and Taxation, to-wit:

Amend Sec. 3 of House Bill No. 359 as follows:

Section 3. Amend line 2 on page 8 of the re-printed bill by striking out the words and figures "Three ($3.00) Dollars" and in lieu thereof inserting the words and figures "Two ($2.00) Dollars."

Was adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs.:

Bonner	Edgar	James	Stanley
Bradford	Ellis of Dallas	Jones	Stokes
Brown	Ellis of Shelby	Justice	Teasley
Caffey	Fite	Loflin	Walker
Carlton	Hall	Mitchell	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Young

—28

Nays:—None.

The following amendment offered by the Standing Committee on Finance and Taxation, to-wit:

Amend House Bill 359, Section 12 as follows:

By adding after words: "practicing his or her profession" at end of first line of the printed bill, the following words: "or any person, firm or corporation selling or dispensing spectacles or eye glasses in any form."

Was adopted.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Bonner	Craft	Jack	Mitchell
Bradford	Edgar	Jackson	Nolen
Brown	Ellis of Dallas	James	Stokes
Caffey	Fite	Jones	Thompson
Carlton	Hall	Justice	Warren
Cowan	Holmes	Loflin	Young

—24

Nays:—None.

Mr. Ellis of Shelby, offered the following amendment to said bill, to-wit:

Amend House Bill 359 by striking therefrom Section Two (2) and substituting in lieu thereof the following:

Section 2. In addition to all other taxes of every kind now imposed by law or otherwise imposed by this Act, there is hereby levied a license or privilege tax upon each person, firm or corporation engaged in the business of operating a railroad in the State of Alabama for the privilege of engaging in such business; said license tax or privilege tax shall be due and payable annually in advance on the first day of October of each year, and shall be in a sum equal to two and one-half (2½) per cent of the gross receipts of such railroad from all the intrastate business of such railroad within the State of Alabama during the preceding year; the gross intrastate earnings to be determined by the amount received from intrastate business and from business originating at points in Alabama destined to other points in Alabama, although carried through another State, said last named earnings to be apportioned on the basis of earning per mile carried. Provided, however, that this section shall not apply to what is commonly known and called street railways or to any independently owned and operated railroad whose gross receipts did not exceed three hundred thousand dollars during the preceding year, or which is less than fifteen miles in length, when such railroad is not owned, operated or controlled directly or indirectly by any other railroad corporation, and if one line of railroad is owned, controlled or operated by another railroad company owning, operating or controlling railroad trackage within this State then the gross intrastate receipts and mileage dur-

ing the preceding fiscal year or both or all of such lines shall be added together to determine whether any of such lines are within the exception:

2A. In addition to all other taxes of every kind now imposed by law or otherwise imposed by this Act, there is hereby levied a license or privilege tax upon each person, firm, or corporation, engaged in the telegraph business in the State of Alabama for the privilege of engaging in such business; said license or privilege tax shall be due and payable annually in advance on the first day of October of each year, and shall be in a sum equal to two and one half (2½) per cent of the gross receipts of such telegraph business from all the intrastate business within the State of Alabama during the preceding calendar year; the gross intrastate earnings shall be determined by the amount received from intrastate business and from messages originating at points in Alabama destined for delivery at other points in Alabama, although transmitted through another State, said last named earnings to be apportioned on the basis of earning per mile transmitted. The license or privilege tax herein levied is in lieu of all other licenses or privilege taxes now levied by law whether in this Act or otherwise:

2-B. In addition to all other taxes of every kind now imposed by law or otherwise imposed by this Act, there is hereby levied a license or privilege tax upon each person, firm or corporation, engaged in the telephone business in the State of Alabama for the privilege of engaging in such business said license or privilege tax shall be due and payable annually in advance on the first day of October of each year, and shall be in a sum equal to two and one half (2½) per cent of the total gross receipts over and above $10,000.00 of such telephone company from all the intrastate business within the State of Alabama during the preceding calendar year; the gross intrastate earnings to be determined by the amount received from intrastate business and from messages originating at points in Alabama destined to other points in Alabama, although transmitted through another State, said last named earnings to be apportioned on the basis of earnings per mile transmitted. The license or privilege tax herein levied is in lieu of all other licenses or privilege taxes now levied by law whether in this Act or otherwise.

2-C. In addition to all other taxes of every kind now imposed by law or otherwise imposed by this Act, there is hereby levied a license or privilege tax upon each person, firm or corporation, engaged in the business of operating an express company in the State of Alabama for the privilege of engaging in such business; said license or privilege tax shall be due and payable annually in advance on the first day of October of each year, and shall be in

a sum equal to two and one-half (2½) per cent of the gross receipts of such express companies from all the intrastate business within the State of Alabama during the preceding calendar year. The license or privilege tax herein levied is in lieu of all other state and county licenses or privilege taxes now levied by law whether in this Act or otherwise.

2-D. In addition to all other taxes of every kind now imposed by law or otherwise imposed by this Act, there is hereby levied a license or privilege tax upon each person, firm, corporation, agent or officer, engaged in the business of manufacturing and selling hydro-electric power in the State of Alabama for the privilege of engaging in such business; said license or privilege tax shall be due and payable in advance on the first day of October of each year, and shall be in a sum equal to two-fifths of a Mill (2-5) upon each kilowatt hour of hydro-electric power manufactured and sold during the preceding calendar year.

2-E. Every person, firm, corporation, co-partnership, joint stock company or association of persons engaged in the business of operating a coal mine in the State of Alabama shall pay to the State a license or privilege tax, by the twentieth of each month, for the privilege of operating such mines during the current month in which such payment is due, an amount equal to 2 1-2 cents per ton on all coal mined during the preceding month in which said mine is operated, according to the run of the mine, whether such mine be an open mine or an underground mine, but no such tax shall be paid to any county in the State. Railroad weights shall govern in determining the amount of coal mined, if said coal is loaded on railroad cars. That Schedule Sixty-six (66) of Section 361 of Acts 1919, page 282, be and the same is hereby repealed.

2-F. Every person, firm, corporation, co-partnership, joint stock company or association engaged in the business of mining iron ore or operating an iron ore mine in the State of Alabama shall pay to the State of Alabama a license or privilege tax, by the twentieth of each month, for the privilege of operating said iron ore mine during the current month in which such payment is due, an amount equal to 4 1-2 cents per ton on all iron ore mined during the last preceding month in which said mine was operated according to the run of the mine, whether such mine be an open mine or an underground mine, but no such tax shall be paid to any county in this State. Railroad weights shall govern where said iron ore is loaded on railroad cars, in determining the amount of iron ore mined. Schedule 67 of Section 361 of Acts 1919, page 282 is hereby expressly repealed.

2-G. Every person, firm, corporation, partnership, joint stock company or association engaged in the business of operat-

ing a mine, a quarry, sand and gravel pits for the mining or quarrying of minerals, (coal and iron ore excepted, they being otherwise taxed in this Act) in the State of Alabama shall pay to the State of Alabama a license or privilege tax for the privilege of operating such mine, quarry or pit in an amount equal to three (3) per cent of the value at the mine, quarry or pit of the products taken therefrom, whether such mine, quarry or pit be an open or underground mine, quarry or pit. This privilege or license tax must be paid by the 20th day of each month for the privilege of operating such mine, quarry or pit during the current month in which such payment is due, provided, however, that no county in the State shall levy this character of tax. Railroad weights shall govern in determining the amount mined where said products are loaded on railroad cars.

2-H. Any person, firm, corporation, co-partnership, joint stock company or association, who engages in the business of operating cars usually termed sleeping, palace, parlor, chair, buffet, cars or by whatever name called shall be deemed to be a sleeping car company or association engaged in the business of operating or running sleeping cars (except railroads operating their own sleeping cars and diners) and doing business in the State of Alabama shall pay in advance on the first day of January of each year to the State of Alabama a license or privilege tax in the sum of Twenty Thousand ($20,000.00) Dollars. All laws and parts of laws in conflict with the provisions of this section are hereby expressly repealed.

2-I. Every person, firm, corporation, co-partnership, joint sotck company or association engaged in the business of selling the product commonly known and called slag, shall pay to the State of Alabama a license or privilege for engaging in such business annually in advance on the first day of October of each year, sum equal to three (3) per cent of the value of the slag sold at the point of sale during the preceding calendar year.

2-J. Every person, firm, company, corporation or assocition of persons, who sells cigars, cigarettes, cheroots, or any substitute therefor, within the State of Alabama, shall pay to this State for State purposes only, a license or privilege tax of an amount equal to fifteen per cent (15%) of the wholesale sales price of such cigars, cigarettes, cheroots, or any substitute therefor sold within this State; provided that if any person, firm, corporation or association of persons shall include in any sale of goods, wares or merchandise, any cigars, cigarettes, cheroots, or any substitute therefor enumerated herein, or shall give with the purchase of any goods, wares or merchandise any cigars, cigarettes, cheroots, or any substitute therefor enumerated herein, there shall be paid as a license or privilege tax hereun-

der an amount equal to fifteen per cent of the amount for which such goods, wares or merchandise is sold.

(a) The payment of the tax as imposed by this section shall be based on the wholesale selling price of the articles enumerated herein, and only one sale made of the same article within the State shall be used in computing the amount of the tax due.

(b) Where the wholesale price or selling price is referred to in this section as the basis for computing the amount of tax required to be paid on any of the articles named herein, it is intended to mean the wholesale selling price of the article before adding the amount of the tax.

(c) The State Tax Commission of the State of Alabama shall administer the provisions of this section and shall enforce the payment of the tax imposed herein.

(d) All payments of the taxes herein imposed shall be made to the State Tax Commission of Alabama, at Montgomery, Alabama, with check or draft made payable to the State Treasurer of Alabama which payments shall be made on or before the tenth day of each month for the taxes due under the provisions of this section for selling or otherwise disposing of any cigars, cigarettes, cheroots, or any substitute therefor, during the next preceding month. Provided the wholesale dealer may make reports and payment of the tax quarterly, instead of monthly. Provided, however, that the State Tax Commission may credit the final annual report of any wholesale dealer with the licenses paid on uncollectible sales made by said dealer and upon which the license was paid.

(e) All persons, firms, corporations or associations of persons who shall sell or otherwise dispose of cigars, cigarettes, cheroots, or any substitute therefor, shall keep and preserve for three years all invoices of cigars, cigarettes, cheroots, or any substitute therefor, bought by them and shall permit the State Tax Commission or its authorized agent or representative to inspect and examine all taxable merchandise, invoices, books, papers, and memoranda as may be deemed necessary by the State Tax Commission or its authorized agent or representative in ascertaining whether the tax levied herein has been paid, or to determine the amount of such tax as may be due. All such persons, firms or corporations selling or otherwise disposing of cigars, cigarettes, cherotts, or any substitute therefor as enumerated herein at wholesale shall keep a record of all sales made within this State, showing the name of the purchaser, the date of sale and the address of the purchaser. Any person, firm, or corporation, or association of persons required to pay taxes levied herein, who fails to make and preserve said invoices for a period of three years, or refuses to permit the inspection and

examination of taxable merchandise, invoices, books, papers and memoranda at the request of the State Tax Commission or its duly authorized agent or representative, shall be deemed a violator of the provisions of this section and shall be fined or imprisoned, as set out in subsection (f) of this section.

(f) Any such person, firm or corporation, or association of persons, as defined in this section, who shall fail or refuse to permit the State Tax Commission or its duly authorized agent or representative to examine and inspect the taxable stocks of merchandise, invoices, books, papers and memoranda deemed necessary to secure the information directly concerned in the enforcement of this section, shall suffer a penalty of twenty dollars ($20.00) for the first offense; fifty ($50.00) for the second offense; one hundred dollars ($100.00) for each offense thereafter; the said penalties to be collected by civil process as hereinafter provided. Any person who refuses to make the tax return hereinafter provided for, or who makes any false or fraudulent return or statement in any return, with the intent to defraud the State or to evade the payment of the tax, or any part thereof imposed by this section; or if the president or any other officer of any corporation or company makes or permits to be made for any corporation or association any false return or any false statement in any return required in this section, with the intent to evade the payment of any tax hereunder, shall be deemed a violator of this section and shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than one thousand dollars ($1,000) or imprisoned not exceeding one year in the county jail, or punished by both fine and imprisonment, at the discretion of the court, within the limitations aforesaid. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, with the intent to defraud the State or to evade the payment of the tax imposed herein, shall be guilty of perjury and on conviction thereof shall be punished in the manner provided by law. Any company for which a false return or a return containing a false statement as aforesaid shall be made, shall be guilty of a misdemeanor and may be punished by a fine of not more than one thousand dollars ($1,000). The Circuit and Criminal Courts of the county in which the offender resides, or if a corporation, in which it carries on business, shall have concurrent jurisdiction to enforce this section. In addition to the penalties herein provided the license inspector of the county wherein the delinquent dealer does business shall be entitled to receive the same fees to be paid in the same manner as is provided by law for other delinquent licenses.

(g) The State Tax Commission shall prescribe and have printed blank forms to be known as "cigars, cigarettes, cheroots, or any substitute therefor return." Such forms shall be prepared with a view of obtaining from persons engaged in selling or otherwise disposing of cigars, cigarettes, cheroots, or any substitute therefor, such information as may, by the State Tax Commission be deemed necessary for the collection of the taxes imposed herein. The distribution of the tax return blanks shall be made through such agencies as may be deemed most expedient by the State Tax Commission.

(h) Every person, firm, corporation or association of persons who sells or deals in cigars, cigarettes, cheroots, or any substitute therefor as defined herein, within the State of Alabama, or who gives away or includes any such cigars, cigarettes, cheroots, or any substitute therefor in the sale of any goods, wares or merchandise for the purpose of evading, or with the intent to evade the payment of the tax imposed by this section, shall, when such cigars, cigarettes, cheroots, or any substitute therefor, are sold to retail merchants or other persons for resale within the State of Alabama, make and deliver to the persons to whom any such cigars, cigarettes, cheroots, or any substitute therefor are sold or delivered, an invoice or bill showing the price for which such articles are sold and shall also enter on said invoice or bill the amount of tax required to be paid to the State of Alabama under provisions of the section, and if the tax has been paid, it shall be so stated or entered on such invoice bill, or if the person making the sale or delivery of any cigars, cigarettes, cheroots, or any substitute therefor herein defined, elects to assume the payment to the State of the tax required by this section, it shall be so certified to on such invoice or bill. It shall be a viloation of this section to enter on any invoice or bill any false statement, made with the intent to evade the payment to the State of the tax imposed under this section. Any person making such false statement or entry on any invoice or bill of cigars, cigarettes, cheroots, or any substitute therefor, shall be guilty of a misdemeanor, and on conviction therefor, shall be punished by a fine or imprisonment, or both, as set out in subsection (f) of this section.

(i) Persons, firms, corporations or associations of persons, who sell or deal in cigars, cigarettes, cheroots, or any substitute therefor within this State, shall not be required to make out and file with the State Tax Commission a report covering sales of any cigars, cigaretes, cheroots, or any substitute therefor defined herein, that have been purchased or obtained from any dealer in such article, whose place of business is located within the State of Alabama, when entry or statement has been made

on the invoice or bill for such articles that the tax herein imposed has been paid, or that such tax is assumed by the person or dealer whose business is loctaed in the State of Alabama. Provided that any person, firm, corporation or association of persons whose place of business is located outside the State of Alabama and from which place of business any cigars, cigarettes, cheroots, or any substitute therefor are shipped to purchasers within this State, may file with the Ttate Tax Commission of Alabama a bond in the sum of ten thousand dollars ($10,000) to secure to the State the payment of the tax imposed by this section and which tax is assumed by said person, firm, corporation or association of persons located outside of the State. Persons, firms, corporations or associations of persons, who ship cigars, cigarettes, cherots, or any substitute therefor, from places outside of the State to points within the State, shall, if they elect to assume the taxes imposed herein, comply with all provisions of this section. A report of sales included in any invoices or bills which have entered thereon a certificate of payment or assumption of the tax imposed by this section by such persons, firms, corporations or associations of persons located outside the State shall not be required. It is expressly provided hereby that the tax imposed herein shall not apply to interstate commerce, but shall apply to business done wholly within the State of Alabama.

(j) The State Tax Commission shall have the power, and it shall be its duty to require any person, firm, corporation or association of persons engaged in the sale of cigars, cigarettes, cheroots, or any substitute therefor, as described herein, to furnish any information by it deemed necessary for the purpose of enforcing the payment of this tax. The State Tax Commission or its duly authorized agent or representative shall have power to enter upon the premises of any taxpayer required to pay taxes under the provisions of this section, and it shall be its duty to examine or cause to be examined any taxable stocks of merchandise, invoices, books, papers, or memoranda bearing upon the amount of taxes payable, and to secure other information directly concerned in the enforcement of this section. It shall have power to examine witnesses and administer oath thereto, and should such witnesses fail or refuse to appear and answer questions at the request of the State Tax Commission, and should any person, members of any firm, officers of corporation or corporations, or members of associations of persons required to pay taxes hereunder, refuse to allow the State Tax Commission or its duly authorized agents to examine taxable stocks of merchandise, or invoices, books, papers or memoranda above referred to, the State Tax Commission shall certify the facts and

the names of the witnesses so failing and refusing to appear, and the names of the persons, firms, or member or members thereof, corporations or officers or managers or employees thereof, and associtaions of persons or members thereof, who refuse access to the taxable stocks of merchandise or invoices, books, papers and memoranda above referred to, to the Circuit Court having jurisdiction of the said party or parties; and said court shall thereupon issue a summons to said witness, person, member or members of said firms, officer or manager or employee of such corporation, or association of persons or members thereof, to appear before the State Tax Commission or its duly authorized agent, at a place designated within the jurisdiction of the said court on a day to be fixed, to be continued as occasion may require, and give such evidence and open for such stocks of taxable merchandise, invoices, books, papers and memoranda as may be required for the purpose of ascertaining whether or not the required tax has been paid, or the amount of such tax which may be due under the provisions of this section; and whenever it shall appear to the State Tax Commission that any such person, firm, corporation or association of persons engaged in selling or otherwise disposing of cigars, cigarettes, cheroots, or any substitute therefor, as described in this section, has failed to pay the taxes due, as provided herein, the State Tax Commission shall compute the correct amount of tax due and so certify same as being the amount actually due and owing, and shall state in what way this section is violated and shall concurrently notify such person, firm, corporation or association of persons of such facts; and in the event such person, firm, corporation or association of persons shall not, within five days after such notification, pay the amount of tax found to be due and owing, the State Tax Commission shall, in the name of the State, enter suit against such person, firm, corporation or association of persons for the amount due and owing, together with such penalties as are provided in this section, or for the amount of such penalties alone. Such suit shall be by rule to show cause within five days why payments should not be made and shall be tried by perference, and may be tried out of term time and in chambers. If the court upon determining the issue upon said rule shall adjudge the defendant in said rule as being due and owing, the tax as alleged in said rule or any part thereof, or that the defendant has violated this section as alleged, in the same judgment the court shall asssess the penalty fixed in subsection (f) of this section, and the court, at its discretion, may allow reasonable attorney's fees in said judgment. All such penalties as may be assessed in said judgments, together with such tax, shall be collected and deposited as a part of the tax.

(k) The Tax imposed by this section shall become delinquent five days after the same becomes due, as provided in subsection (d) of this section. A penalty of twenty-five per cent of the amount of the tax herein imposed shall be added and collected as a part of the tax when said tax becomes delinquent. A penalty of five per cent per month for each month shall be assessed, added and collected from persons, firms, corporations, or associations of persons for failure to make such reports as are required herein. The License or privilege tax imposed by this section and all penalties provided herein, shall, after approval by the State Tax Commission, as to the amount due, have full force and effect of a judgment on which execution may be issued by the State Tax Commission, directed to any sheriff in the State of Alabama, or such taxes may be collected by civil process, as provided by law for the collection of other taxes due the State.

(l) It shall be the duty of the State Tax Commission to report in detail all violations hereunder to the Circuit Solicitor having jurisdiction over such offenses, as soon as practicable and without unnecessary delay. The conviction and sentence for the violation of the provisions of this section or subdivision thereof, as herein provided, shall in no way interfere with the imposition and collection of the civil penalties provided in subsection (f) of this section.

(m) The cost of the inspection, auditing duties, and printing of blank forms required herein shall be paid out of the money collected under this section.

(n) If any clause, sentence, paragraph or part of this section shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this section, but shall be confined in its opertaion to the clause, sentence, paragraph or any part thereof involved in the controversy in which said judgment has been rendered.

2-K. All revenue collected under provisions of Section Two (2), 2-A, 2-B, 2-C, 2-D, 2-E, 2-F, 2-G, 2-H, 2-I, and 2-J of this Act shall be paid to the State Tax Commission of the State of Alabama by check or draft made payable to the State Treasurer and shall be set apart as a Trust Fund for eductional purposes only, to be designated as the Alabama Special Educational Trust Fund, and shall be kept separate and apart from all other funds in the State Treasury, and shall be paid out by the Treasurer on lawful appropriations, hereafter made specially from such funds by the Legislature of Alabama for educational purposes.

The provisions of this section shall go into effect on October 1, 1927.

Further amend House Bill 359, as follows:

Strike from line 26, page 6, and part of line 1, page 7 of said House Bill as reprinted the following words:

"Mutual insurance companies or association, other than life which are not conducted for profit, nor reciprocal or inter-insurance exchanges."

Further amend Section 3, of House Bill No. 359, line 2, page 8 of the reprinted Bill by striking therefrom the words and figures "Three ($3.) Dollars" and in lieu thereof insert the words and figures "Two ($2.00) Dollars."

Further amend House Bill 359, Section 3 thereof in the reprinted Bill by adding at the end of Section 3 the following words:

Provided that in ascertaining the premium tax which shall be paid by domestic insurance companies under this section, there shall be deducted from the amount of premiums upon which taxes are due the aggregate amount of loans of money made by such companies in this State, and which shall be secured by existing mortgage or mortgages to it on real estate in this State, and upon which mortgages there shall have been paid the recording privilege tax provided by law."

Further amend House Bill 359, section 5 thereof by striking from section 5 on line 15, page 12, of the reprinted bill the words and figures "One Hundred Dollars (-100.00)" and insert in lieu thereof the words and figures "Twenty-five ($25.00) Dollars."

Further amend House Bill 359, by adding thereto Section 7 1-2 as follows:

7 1-2. Each person, firm, corporation or association whether principal or agent, engaged in selling, either at wholesale or retail, fruits, vegetables, produce or other commodities, from cars standing on the sidetracks, unloading tracks, spur-tracks or any other track of any railroad or railway, shall pay the following privilege tax:

In each city or town, on each car $25.00.

Provided, that when the above privilege tax is paid to the Probate Judge he shall be furnished with the name of the railroad or railway owning the car in which the commodity to be sold is stored and the number of the car, and said name and number shall be written in the license issued, which license shall be posted in a conspicuous place on the car.

Provided further, that any person, firm, corporation or association, whether principal or agent, shall be liable for the above tax on each transfer, if fruits, vegetables or other commodities are removed from one car and placed in another from which sales have already been made. Provided further, that this tax shall apply to all cars of fruits, vegetables, produce or

other commodities shipped in carload lots or less for the purpose of being sold from the car, either at wholesal or retail, when the same is delivered to consignee, and the car shall not be opened for the purpose of making sales of its contents until the tax above classified is paid.

Provided, this Act shall not apply to any regular licensed jobber, wholesaler or broker who regularly conducts a business of this nature. Further amend House Bill 359, by adding in section 12 thereof, page 14, of the reprinted bill, between lines 7 and 8 and after the word "her profession" where the same occur at the line 7, the following: "Or any person, firm or corporation selling or dispensing spectacles or eye glasses in any form."

Further amend House Bill 359, section 13, by adding at the end of said section 13 the following words: "Provided, this section shall not apply to hotels or lodging houses in towns not incorporated."

Further amend House Bill 359, section 14, so as to make section 14 read as follows:

Section 14. Directories. Each person, compiling, selling or offering for sale directories shall pay to the State license taxes as follows: In cities or towns of Fifty thousand inhabitants or over, Two Hundred and Fifty ($250.00) Dollars; in cities or towns of Twenty Thousand and less than Fifty Thousand inhabitants One Hundred Dollars ($100.00); in cities or towns of Ten Thousand and less than Twenty Thousand inhabitants, Twenty-five Dollars ($25.00);; provided that this section shall not apply to directories issued by any person, firm or corporation in connection with or as a part of a business for which business a general license tax is provided.

Further amend House Bill 359, section 15 thereof by adding at the end of section 15 the following words: "Provided, that the provisions of this section shall not apply to any street fair or carnival operated by or under the auspices or State Fairs, County Fairs or District Fairs."

Further amend House Bill 359, Section 16 thereof by striking therefrom in line 17 on page 15 the words "or moving picture," and also by adding at the end of section 16 the following words, "Provided that this section shall not apply to any show operating in a Theatre regularly licensed." Further amend House Bill 359 by adding thereto the following as section 16 1-2.

Section 16 1-2. Gypsies and Traders: For every company of persons who travel from place to place and dwell in tents or vehicles and trade in horses or mules, Five Hundred Dollars in each and every county in which they do business. Schedule 57-A of section 361, Acts approved September 15, 1919, Acts 1919, page 282 is hereby repealed.

Further amend House Bill 359 thereof by adding at the end of section 17 the following:

"The money collected as motor truck license taxes, less all the expenses necessary or incident to the collection of such taxes including the printing and distribution of assessment blanks, blank receipts and license blanks, shall be distributed as follows: Eighty per cent (80) to the State and Twenty per cent (20) to the incorporate city or town in which the owner of the motor truck resides and twenty per cent (20%) to the county if the owner of truck resides outside of an incorporated city or town. The money collected as motor truck license taxes by the State, less expenses, shall be used exclusively to create a sinking fund for the prompt and faithful payment of the principal and interest on good road bonds and for construction, maintenance and improvements of public highways, roads and bridges, as required under provisions of Article XX of the Constitution of Alabama."

Further amend House Bill 359 by striking from the reprint bill section 18 and by substituting in lieu thereof the following:

Section 18. To prevent motor vehicles within the meaning of this act from escaping taxation and to provide for the more efficient assessment and collection of taxes due on same, on and after the first day of October, 1923, no license shall be issued to operate a motor vehicle on the public highways of this state, nor shall any transfer be made by the probate judge as provided under this Act, until the ad valorem tax on such vehicle shall have been paid in the county for the preceding year, as evidenced by a receipt of the tax collector where the owner of said vehicle resides, if the vehicle is owned by an individual, and if the vehicle is owned by afirm, corporation or association, then as evidenced by the receipt of the tax collector in the county in which said motor vehicle is used or operated provided that this section shall not apply to motor vehicles owned by dealers the State, counties, and municipalities. On and after the first day of October, 1923, every person, firm, or corporation who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation to the tax assessor of the county in which he resides, for the preceding tax year, and the tax assessor of such county shall deliver to such person who makes the return as herein required, a certificate of assessment on a form prescribed by the State Tax Commission, and such certificate shall be the warrant of the tax collector to collect the tax as shown thereon.

(b) If any motor vehicle has already been returned for the fiscal year beginning October 1st, 1922, and ending September 30th, 1923, the tax assessor shall issue a certificate showing the

valuation of such motor vehicle, and the tax collector shall collect the taxes according to such valuation, and credit same upon the collector's abstract as part payment.

(c) After the first day of October, 1923, motor vehicles within the meaning of this Act, shall not be included in any assessment made by any person, firm or corporation as of the first day of October, 1923, or subsequent years; and such motor vehicles shall not be considered as escaped property by reason of failure to include same in any tax return as of the first day of October, 1923, or any subsequent year, but shall be assessed as herein provided.

(d) The judge of probate upon issuing a license as herein provided shall require the applicant to surrender the reecipt of the tax collector and keep same on file in his office. The license tag shall be evidence of the payment of the license and ad valorem tax due as provided under this Act, valuation for ad valorem assessment shall be sixty per cent of the fair and reasonable value of same.

(e) Motor vehicles brought into this State after the first day of October and before the Tax Assessor has completed his assessment shall be subject to taxation the same as if it had been held or owned in the State on the first day of October.

The Probate Judge is authorized to issue a motor vehicle license upon a certificae of the tax assessor certifying that there is no ad valorem taxes on said motor vehicle for the preceding year.

(f) The Tax Assessors and collectors of the several counties in this Stae, in addition to assessing and collecting the ad valorem taxes due the State and counties on motor vehicles, shall collect the ad valorem taxes on motor vehicles due all cities in this State. The Tax Collectors shall report and pay over the money collected for said cities at the same time and in the same manner as State and County taxes are reported and paid over by him. Said assessors and collectors shall each receive a commission of Two and One-half per cent of the amount of city taxes collected; and the tax collectors shall deduct said commission from the amount collected before paying into the City Treasury, and at the time pay over to the Tax Assessor commissions due him under this Act. Provided that nothing in this Act shall change the rate of commissions now charged by Tax Assessors and Tax Collectors in cities where the county tax assessor and county tax collector are required by local law to assess and collect all ad valorem taxes for such cities.

The Judge of Probate shall not issue a license to operate a motor vehicle on the highways of this State until all ad valorem

taxes due the said State, counties and cities are paid for the preceding year as shown by a receipt of the tax collector.

That Schedule 7 of Section 361, Acts 1919, page 282, be and the same is hereby repealed.

That Section 19 of Acts approved September 14, 1923, Acts 1923, page 284, be and the same is hereby repealed.

Further amend House Bill 359, Section 20 at line 24, page 17 of the reprinted bill by inserting after the word "operating" where it occurs therein the word "for profit."

Further amend House Bill 359 by adding thereto Section 21 1-2 as follows:

Section 21 1-2. No deed, bill of sale or other instrument of like character which conveys any real or personal property within this State, or which conveys any interest in any such property, except the transfer of mortgages on real or personal property within this State upon which the mortgage tax has been paid, deeds or instruments executed for a nominal consideration for the purpose of perfecting the title to real estate, and deeds and other instruments or conveyances executed prior to October 1st, 1923, shall be received for record unless the following privilege or license tax shall have been paid upon such instrument before the same is offered for record, to-wit: Upon all such instruments which are executed to convey real or personal property situated in this State of the value of five hundred dollars or less there shall be paid the sum of fifty cents, and upon all such instruments executed to convey real or personal property situated in this State of more than five hundred dollars in value there shall be paid the sum of fifty cents for each five hundred dollars or fraction thereof in value of property conveyed by such instrument. Provided, that only the value in excess of any mortgages or vendors lien upon any property within this State on which the mortgage tax has been paid, shall be taxable under this section, and provided, further, that when several deeds or instruments are executed by tenants in common for the same consideration, only one of such instruments shall be taxable under this section. Upon the presentation of any such instrument for record the Judge of Probate shall determine the amount of tax due thereon and upon the payment to him of the amount of such tax and recording fee of the Judge of Probate he shall accept the same for record; provided, however, that upon the presentation for record of any instrument which conveys property situated into two or more counties of this State, the Judge of Probate shall certify the facts of the case together with a description of the property conveyed by such instrument to the State Tax Commission, who, after hearing such evidence as may be offered, shall fix and determine the value of such prop-

erty as located in each county and shall certify their determination thereof to the Judge of Probate, showing the value of such property in each county separately, and upon the payment to the Judge of Probate of the tax due on the value of all the property in this State conveyed by such instrument, as so determined, the Judge of Probate shall accept such instrument for record. The person presenting any such instrument conveying property in two or more counties of this State may secure immediate filing of such instrument for record by depositing with the Judge of Probate, to be held by him until the amount of the tax due thereon is determined, an amount which in the judgment of the Judge of Probate will cover the tax herein provided for, and after the value of the property conveyed thereby is determined by the State Tax Commission, as provided herein, any excess of such deposit over the amount of tax found to be due on such instrument shall be refunded to the person offering such instrument for record. The determination by the Judge of Probate of the amount of tax due on any such instrument is hereby declared to be a ministerial act and shall not preclude the subsequent collection of the correct amount of tax if the value of the property thereby conveyed is not fully disclosed to the Judge of Probate when such instrument is offered for record. Upon the filing for record of any instrument coming within the terms of this Act the Judge of Probate shall certify thereon the fact that the tax thereon has been paid, showing the amount of such tax, and thereafter such instrument shall be received for record in any county of this State without the payment of any further tax thereon, except the fee of the Judge of Probate for recording such instrument, which certificate shall be recorded with and as part of such instrument. Of the tax collected by the Judge of Probate under the provisions of this Act there shall be paid into the state treasury two-thirds of the amount so collected and the remaining one-third shall be paid into the county treasury; provided, however, that the counties share of the tax collected on any instrument conveying property in more than one county shall be paid into the county treasuries of the counties in which such property is situated in proportion to the value of such property as determined by the State Tax Commission as herein provided. The Judge of Probate shall receive two and one-half per cent of the amount collected by him under the provisions of this Act as his commission for collecting said money and certifying said instruments, which shall be deducted from the total amount collected and retained by him when making settlement of his collections as required by law. Provided, however, that this act shall not be so construed or enforced as to require the payment of privilege tax herein provided on mortgages,

deeds of trust or other instruments in the nature of a mortgage or deeds or other instruments with vendors lien except as to that part of the purchase price, which is paid in cash or other articles of value and which pay no other privilege tax for recording. Provided that in counties where the Probate Judges are paid salaries the fee or commission collected or retained by the Probate Judges for collecting the tax herein provided for shall be paid by them into the treasury of their respective counties.

The Act approved September 14th, 1923, "To impose a license or privilege tax on all deeds, bills of sale and other instruments of like character admitted to record in the probate offices of the State," be, and the same is hereby repealed.

Further amend House Bill 359, Section 21, by striking from Section 21, line 15 and 16, page 19, of the reprinted bill, the following words where they occur therein:

"In lieu of all other taxes except franchise taxes."

Further amend House Bill 359 by striking therefrom Section 22 and Section 23.

Further amend House Bill 359, Section 24-A thereof line 1, on page 24, by inserting after the word "shall" the words "not exceed" and strike therefrom the word "be" before the figure "2" in said line.

Further amend said bill by adding to Section 24-A at the end thereof the following: "Provided that each municipality may impose a license tax not to exceed two per cent. of the gross income of such utility in the municipality; provided further, that this shall not affect any existing contract between any municipality and any electric public utility operating therein."

Schedule 89 of Section 361 of an Act approved September 15, 1919, Acts 1919, page 282, is hereby repealed in so far as the same applies to the electric public utilities.

Further amend House Bill 359, Section 42 thereof by striking therefrom the words: "Capitol Stock" wherever they occur therein and substitute therefor the words; "Capitol employed in this State."

Amend House Bill 359 by adding thereto:

Section 54 1-2. If a corporation organize under the laws of any other State, nation or territory, shall have heretofore merged or consolidated, or shall hereafter merge or consolidate, with a coporation organized under the laws of the State of Alabama, and if more than seventy-five (75) per cent of the capital employed by such merged or consolidated corporation is located outside the State of Alabama, such merged or consolidated corportaion shall, for the purposes of this act, be deemed and held

to be a foreign corporation, and shall pay the franchise tax herein required to be paid by foreign corporations.

Amend House Bill 359 by striking therefrom the words: "paid up" where they appear on line 23 of Section 53.

Amend House Bill 359 by striking therefrom the words "paid up" where they appear on line 13 of Section 56.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 30th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT.

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 30th legislative day was approved by the Senate.

ADJOURNMENT.

At 4:30 P. M., on motion of Mr. Ellis of Shelby, the Senate adjourned until 10 o'clock tomorrow morning.

THIRTY-FIRST DAY

Wednesday, July 13, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Dr. Mullins, Member of the House.

ROLL CALL

Present:

Messrs:

Bonner	Caffey	Craft	Ellis of Shelby
Bradford	Carlton	Edgar	Fite
Brown	Cowan	Ellis of Dallas	Hall

Hines	Jones	Nixon	Thompson
Holmes	Justice	Nolen	Walker
Jack	Loflin	Stanley	Walton
Jackson	Mitchell	Stokes	Warren
James	Moore	Teasley	Young

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JOURNAL

On motion of Mr. James, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Young, leave of absence was granted Mr. Williams for today.

On motion of Mr. Ellis of Dallas, leave of absence was granted Mr. Oliver for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 369. To amend an Act entitled "An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison County now existing in said county, and abolishing said board of revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, woco-pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners, approved September 20th, 1923 by amending Sections 7 and 8.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the session of the Legislature of Alabama convened on January 11th, 1927, and to re-convene on June 7th, 1927, application will be made for passage of a law substantially as set out in the following bill, viz:

A BILL

To be entitled An Act to amend an act entitled an Act To create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Board of Revenue or other governing bodies of like name or authority in this state; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, woco-pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20th, 1923 by amending section 7 and 8.

Section 1. Be it enacted by the Legislature of Alabama, that Section 7 and 8 of an act entitled An Act to create and establish a Board of County Commissioners in and for Madison County Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said County, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this state; and to authorize said Board of County Commissioners, for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, woco-pep or other substitutes therefor, sold in the county, not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment by said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of County Commissioners, and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20, 1923, be and is hereby amended so to read as follows:

Section 7. The Chairman of the Board of County Commissioners shall receive a salary of Thirty-six Hundred ($3600) Dollars per annum payable monthly from the County Treasury and the other four members of the Board of County Commissioners shall each receive Twelve Hundred ($1200) Dollars per annum, payable monthly from the County Treasury.

Section 8. The chairman of the Board of County Commissioners is required to give his entire time and attention to the business of the Board of County Commissioners; he shall be its presiding officer, and in addition to the rights, powers, and duties prescribed in this Act, he shall exercise and perform all other rights and duties in relation to the Board of County Commissioners, and shall be liable to the same penalties in connection therewith, as are now exercised and performed by the President of the Board of Revenue of Madison County, and the Judges of Probate of the several counties of this State as provided under the general law of the State, in relation to the Court of County Commissioners. He shall issue warrants to all persons whose claims have been allowed by the Board of County Commissioners and in the same manner and under the same restrictions as same have been heretofore issued by the President of the Board of Revenue or the Judge of Probate of Madison County.

In addition to the duties herein above prescribed and set out he shall personally supervise the maintenance and improvement of the public roads, highways and bridges in his district, numbered five, and shall supervise the maintenance and conduct of the County Alms House, see that it is kept in a cleanly and healthful condition and its inmates well cared for. He shall also supervise the operation and conduct of the County Jail, see that it is kept in a cleanly and healthful condition and look after such repairs, changes and improvements as may be ordered by the Board of County Commissioners. He shall also look after the County Court House and grounds and see that the building and yard are kept clean and in good repair and the furnishings kept up.

STATE OF ALABAMA,
Madison County.

Before me, M. W. Hurst, a Notary Public in and for said County and State this day personally appeared Charles D. Lane, who, being duly sworn deposes and says that he is the editor, publisher and general manager of The Community Builder, a newspaper published on Thursday of every week in the City of Huntsville, County and State aforesaid, that the attached notice of a bill proposed to be introduced into the Legislature of Alabama, which convened on January 11, 1927, and which was to be and was, re-convened on June 5, 1927, was published in the said The Community Builder on June second, ninth, sixteenth and twenty-third in 1927.

Charles D. Lane,
As editor, publisher and general
manager of The Community Builder.

Sworn to and subscribed before me this the 9th day of July, 1927.

M. W. Hurst,
Notary Public.

(Seal)

By Mr. Stanley (with notice and proof):

S. 370. To establish a board of revenue for Conecuh County, in lieu of the court of county commissioners as now provided by law. To relieve the judge of probate of his duties as chairman of said court or board, to provide for the election of the members of said board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said board, the chairman and clerk thereof, and to provide for their compensation.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, during the 1927 Session thereof, which bill is in substance as follows:

AN ACT

To establsh a Board of Revenue for Conecuh County in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the chairman and clerk thereof, and to provide for their compensation.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established a Board consisting of four members and a chairman, to be called the Board of Revenue of Conecuh County.

Section 2. That the members of said Board shall be the same persons as the members of the Commissioners Court of Conecuh County, elected at the General Election in 1924 and 1926, and shall hold office until their successors are elected and qualified as provided in this act. In case of a vacancy on said Board, the same shall be filled by appointment of the other members of said Board. The person so appointed to fill any such vacancy shall be a qualified elector of the district in which such vacancy exists and shall hold office during the unexpired term which he is appointed to fill and until his successor is elected and qualified. That the chairman of said Board shall be a qualified elector of Conecuh County, Alabaam, and shall be elected by the members of said Board. That the first chairman shall be elected by the members of said Board at the first regular meeting of said Board after this act goes into effect, and shall hold office until the regular meeting in February, 1929; that thereafter a chairman of said Board shall be elected by the members thereof at the regular meeting of said Board in February, 1929, and every four years thereafter, and his term of office shall be for four years, and until his successor is elected and qualified, and any vacancy occurring in the chairmanship of said Board shall be filled by the members thereof. That the successors to the members of said Board elected in November 1924 and in November 1926 shall be elected as follows, to-wit: The two members from Districts three and four as now constituted shall be elected at the general election in 1928, and every four years thereafter, and their term of office shall begin on the first Monday after the second Tuesday in January after their election. The two members from Districts one and two, as now constituted shall be elected at the general election in 1930 and every four years thereafter, and their term of office shall begin on the first Monday after the second Tuesday in January after their election, and they shall all hold office for a term of four years thereafter and until their successors are elected and qualified. That the County of Conecuh is hereby divided into four districts the said districts to be the same and to bear the same numbers as now provided by law. Each member of said Board shall be a qualified elector of the district from which he is elected and shall be elected by the qualified electors of said district.

Section 3. That said Board of Revenue shall have the power and authority to control the property of Conecuh County as it may deem ex-

pedient according to law; to levy a tax for general purposes and special taxes for particular county purposes according to the provisions of the Law of Alabama; to examine, allow and settle accounts and things chargeable against the county; to audit and settle the accounts of all officers having the care, management, collection or disbursements of money belonging to the county or appropriated to its use and benefit; to have control of the convict labor of the county and the disbursement of the proceeds of the same; to have control of, and make provisions for, the poor of said county; to provide for the purchase of the necessary books, stationery and postage for the use of said Board of Revenue in the conduct of its official business; to employ an engineer and a supervisor or supervisors for the roads and bridges of said county if necessary; to have the right and authority to bind the county in any contract for the payment of money, and to pay any debt due by the county on any existing lawful contract; and to see that the Treasurer or other depository of County Funds shall keep on hand at all times sufficient money to pay all jurors, and the salaries and allowances of all county officers when due, the same being hereby declared preferred claims against the county.

Section 4. That the Said Board of Revenue shall have all jurisdiction and powers that are now or may hereafter by law be vested in Courts of County Commissioners or Boards of Revenue of this State, and by any special law now vested in the County Commissioners of Conecuh County; and the several members of the said Board of Revenue shall perform all the duties and services and exercise all the powers that are or may be required by law of the several members of the Court of County Commissioners.

Section 5. That all general laws hereinafter enacted in relation to the jurisdiction, powers, authority or duties of the County Commissioners shall apply to and govern the Board of Revenue of Conecuh County.

Section 6. That the Chairman of the said Board of Revenue shall be its presiding officer, and shall sign the minutes of the proceedings of said Board, and have the same power and authority as the other members in passing on all questions, and shall sign all warrants drawn on the County Treasurer, and all orders for the payment and disbursement of funds of the County, and sign all contracts entered into by the Board of Revenue of Conecuh County. It shall be the duty of said Chairman to prepare business and obtain information for the sessions of the Board of Revenue and see that all orders thereof are properly executed. He shall exercise all the duties required of the Probate Judge as to matters coming before the County Commissioners.

Section 7. That said Board of Revenue may elect a clerk and fix his compensation, and it shall be the duty of said Clerk of said Board of Revenue to attend the meetings of said Board of Revenue and issue all notices required by said Board of Revenue. The Clerk shall under the direction of said Board of Revenue keep the minutes and records of the proceedings of said Board in well bound volumes kept for that purpose; said records to be kept in the office of the Judge of Probate of said county and be open at all times to the inspection of the citizens of said county, and generally to do and perform such duties and matters as may be required of him by said Board of Revenue. The term of office of said Clerk shall be at the pleasure of said Board. Said Board of Revenue may elect the same person chairman and clerk thereof.

Section 8. The said Board of Revenue shall hold its sessions on the second Monday of each month and may continue in session as long as may be necessary to conduct the business of the County, and may adjourn said meetings to any day they may desire, and may hold special sessions at any time upon the call of the chairman. The sessions of said Board of Revenue shall be held at the Court House of said County.

Section 9. That said Board of Revenue shall keep a correct register of all claims presented against the county, showing the name of the claimant, the amount and the action of the Board thereon, and shall keep a carbon copy or stub of every warrant or order for the payment of money out of the County Treasury, and these records together with the minutes of the proceedings, and all papers of the Board of Revenue shall be public records, open to the inspection of any person at reasonable hours, when the same are not being used by the Board of Revenue or under its direction.

Section 10. That the chairman of said Board shall have an office at the Court House of said County and shall give as much of his time to said office as may be necessary to properly conduct the affairs of Conecuh County. That the members of said Board of Revenue, including the chairman, shall be entitled to Five Dollars per day for each day of actual service rendered in attending the meetings of said Board, or for any work or labor or service rendered in looking after the roads and bridges of the county, and the chairman of said Board shall be entitled to Five Dollars per day for each day of actual service rendered in keeping and looking after the affairs of his office, and the members of said Board, including the chairman, shall also be entitled to five cents per mile for each mile necessarily travelled by them in performing their respective duties, all of said sums to be paid out of the County Treasury on the certificate or warrant of the chairman of said Board of Revenue after the same has been allowed and ordered paid by said Board.

Section 11. That the Court of County Commissioners of Conecuh County as the same now exists be and the same is hereby abolished, and that the Judge of Probate of said County be relieved of his duties as Chairman of the County Commissioners or said Board, which duties shall hereafter be performed by the Chairman of the Board of Revenue of Conecuh County.

Section 12. That the provision of this Act shall take effect on the first Monday of the month following its approval by the Governor.

Section 13. That a majority of said Board of Revenue shall constitute a quorum for the transaction of business.

Section 14. That if any section or part of this Act shall be declared unconstitutional or void for any reason, it shall not affect the validity of the remaining sections or parts thereof.

Section 15. That all laws and parts of laws, both general and special, in conflict with the provisions of this Act be and the same are hereby repealed.

STATE OF ALABAMA,
Conecuh County.

Before me, Carol J. King, a Notary Public in and for said State, and County, personally appeared R. Gaston Bozeman, who being sworn says on oath that he is editor and manager of the Evergreen Courant, a weekly newspaper published at Evergreen, Conecuh County, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated May 26th, 1927, the second insertion being in issue dated June 2nd 1927, the third insertion being in issue dated June 9th, 1927, and the fourth insertion being in issue dated June 16th, 1927.

R. Gaston Bozeman,

Sworn to and subscribed before me this 8th day of July, 1927.

Carol J. King,

(Seal) Notary Public in and for said State and County.

By Mr. Carlton (notice and proof) :

S. 371. To amend sections 6, 8, and 11 of an Act entitled "An Act to establish a Board of Revenue for Marengo County,

and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
Marengo County.

Notice is hereby given that a local bill will be introduced at the present session of the legislature of Alabama, for the purpose of amending sections 6, 8 and 11 of the Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County, which was approved September 19, 1923. Said bill being substantially in the following language:

A BILL

To be entitled an Act to amend sections 6, 8, and 11 of an act entitled "A n act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923:

Be it enacted by the Legislature of Alabama:

Sec. 1. That section 6 of an Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County, approved September 19, 1923 be, and the same hereby is amended so as to read as follows: That the president of said Board of Revenue shall be its presiding officer, and shall sign the minutes of the proceedings of the Board of Revenue, and shall be a member thereof and shall have the same rights, privileges, powers and authority, and perform the same duties as the other members thereof, and shall sign all warrants drawn on the County Treasury, and all orders for the payment or disbursement of money or funds of the County, and shall sign all contracts entered into by the Board of Revenue of Marengo County. It shall be his duty to prepare the order of business and obtain information for the sessions of the Board of Revenue and shall see that all orders thereof are properly executed. He shall, in addition, perform all the duties now required of the Probate Judge as to matters coming before the Court of County Commissioners. In event the president of said Board of Revenue shall, for any cause, be absent from any session of said Board of Revenue, the other members present thereat shall, by a majority vote, which shall be spread upon the minutes of such session of said Board, elect one of the members of said Board of Revenue a president pro tem, who shall preside over such session, sign the minutes of the proceedings of such session of said Board of Revenue and shall have the same rights, privileges, powers and authority, and perform the same duties as the president of said Board of Revenue is authorized to perform when personally present and presiding over said session, and shall sign all warrants drawn on the County Treasury and all orders for the payment or distribution of money or funds of the County authorized at such session wherein he shall act as president pro tem, and shall sign all contracts entered into by the Board of Revenue of Marengo County authorized at the session over which he shall preside; and such president pro tem shall perform at the session over which he so presides as would devolve upon the president of said Board of Revenue if he were present.

Sec. 2. That section 8 of said Act be, and the same hereby is amended so as to read as follows: Section 8. That said Board of Revenue shall hold sessions on the second Tuesday of each month of every year, and may

continue in session as long as it deems necesary to conduct the business of the County, and may hold such session at any time upon the call of the president or three members of the Board of Revenue, entered in writing on the minutes of said Board of Revenue. The sessions of said Board of Revenue shall be held at the Court House of said County.

Sec. 3. That section 11 of said Act be, and the same hereby is, amended so as to read as follows: Section 11. That the members of said Board of Revenue shall each be entitled to Ten Dollars per day for each day of actual service rendered; five cents per mile for traveling to and from the sittings of said Board of Revenue, and to and from the place where any service is rendered by them, to be paid out of the County Treasury on certificates or warrants signed by the president, or president pro tem, of the Board of Revenue; provided that no member of the Board of Revenue shall, during any year, receive more than Eight Hundred Dollars from the County Treasury for any and all services rendered by him either as a member of the Board or for any work or labor done for, or services rendered to the County.

N. G. Winn.

STATE OF ALABAMA,
Marengo County.

Before me, Rowena Barger, a Notary Public in and for said county and State, this day personally appeared E. S. Cornish, of Demopolis, Alabama, who is personally known to me, and who being by me first duly sworn, deposes and says:

That he is editor of the Demopolis Times, a weekly newspaper published regularly each week in the City of Demopolis, in Marengo county, Alabama; that the above and foregoing notice, "To amend sections 6, 8 and 11 of an act entitled "An act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923", as is set forth above, was regularly published, without cost to the State, once a week for four consecutive weeks in said the Demopolis Times, in said Marengo County, Alabama, beginning on and in the issue of said newspaper of June 2nd, 1927, and appearing in said newspaper regularly and consecutively on June 2nd, June 9th, June 16th and June 23rd 1927.

E. S. Cornish,

Sworn to and subscribed before me this the 8th day of July, 1927.

Rowena Barger,
Notary Public.

By Mr. Carlton (With Notice and Proof):

S. 372. To further amend an Act of the Legislature of Alabama entitled: "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
Marengo County.

Notice is hereby given that a local bill will be introduced at the present session of the legislature of Alabama for the purpose of further amending an act of the legislature of Alabama entitled, "An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of Marengo County," approved September 19, 1923, said bill being substantially in the following language:

A BILL

To be entitled an Act to further amend an act of the legislature of Alabama entitled "An Act to establish a Board of Revenue of said County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Be it enacted by the Legislature of Alabama:

Sec. 22. Accounts shall be opened and kept by the County Treasurer or County depository or bank in which the funds of said County are deposited, in such manner and such funds as the Board of Revenue of Marengo County Alabama may direct, disbursements to be made upon the order of the Board of Revenue of Marengo County, Alabama, and said Treasurer, depository or bank shall, on October 1 of each year, furnish to said Board of Revenue in writing, a full and detailed statement of the receipts and disbursements in each and every year to the close of business on September 30 of such year, and shall at the same time furnish said Board of Revenue with a full and detailed statement in writing, of the entire indebtedness of the County, of whatever kind and character, specifying particularly the amount of bonds outstanding, their character and when due; the amount of the outstanding warrants whether interest bearing or not, and if interest bearing,, the rate of interest, for what said warrants were issued and when due and payable.

Sec. 23. That the said Board of Revenue shall, on to-wit: October 1 of each year, make a publication in a newspaper published in Marengo County, a report showing the receipts and expenditures for said County, the sources from which received and the purposes for which expended, but said publication need not be an itemized report of such receipts and expenditures or either. Said publication must also show the entire indebtedness of the County, of whatever kind and character specifying particularly the amount of bonds outstanding their character and when due; the amount of the outstanding warrants of said County, whether interest bearing or not, and if interest bearing, the rate of interest, for said warrants, when issued and when due and payable.

Sec. 24. That all laws and parts of laws in conflict with the provisions of this act, be and the same are, hereby repealed.

Sec. 25. That this act shall take effect immediately after its approval by the Governor.

N. G. Winn.

STATE OF ALABAMA,
Marengo County.

Before me, Rowena Barger, a Notary Public in and for said county and State, this day personally appeared E. S. Cornish, of Demopolis, Alabama, who is personally known to me, and who being by me first duly sworn, deposes and says:

That he is editor of the Demopolis Times, a weekly newspaper published regularly each week in the City of Demopolis, in Marengo county, Alabama; that the above and foregoing notice, "To further amend an act of the legislature of Alabama entitled "An Act to establish a Board of Revenue abolishment of the Court of County Commissioners of said County," approved September 19, 1923", as is set forth above, was regularly published, without cost to the State, once a week for four consecutive weeks in said the Demopolis Times, in said Marengo county, Alabama, beginning on and in the issue of said newspaper of June 2nd, 1927, and appearing in said newspaper regularly and consecutively on June 2nd, June 9th, June 16th and June 23rd, 1927.

Sworn to and subscribed before me this the 8th day of July, 1927.

E. S. Cornish.

Rowena Barger,
Notary Public.

By Mr. Cowan:

S. 373. To propose an amendment to Section 225, article XII, of the Constitution of Alabama, so as to authorize Cities and Towns of Two thousand five hundred population and over to become indebted in the same amount and for the same purposes as Cities and Towns of Six Thousand population and over may now become indebted as now set forth in said Section 225 of the Constitution; also to extend the purposes for which said indebtedness may be created and set forth in said Section so as to include the purchase of Real Estate upon which to construct School Houses, and the construction and improvement of School Houses; also to order an election by the qualified electors of the State upon such proposed amendment to be held on the first Tuesday after the expiration of three months from and after the final adjournment of the present session of the Legislature.

Be it Enacted by the Legislature of Alabama:

Section One. The following amendment to Section 225 of the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of Alabama for their consideration as is hereinafter set forth. Section 225, Article XII of the Constitution be amended so as to read as follows:

Section 225. No city, Town, or other municipal corporation, having a population of less than Two Thousand five hundred except as hereafter provided, shall become indebted in an amount, including present indebtedness, exceeding five per centum of the assessed value of the property therein, except for the construction of or purchase of water works, gas or electric lighting plants, or sewerage, or for the improvement of streets, or for the purchase of Real Estate upon which to construct school houses, or for the construction and improvement of school houses, for which purposes an additional indebtedness not exceeding three per centum may be created; provided, this limitation shall not affect any debt now authorized by law to be created, nor any temporary loans to be paid within one year, made in anticipation of the collection of taxes, not exceeding one-fourth of the annual revenues of such City or Town. All Towns and Cities having a population of Two Thousand Five Hundred or more are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding seven per centum of the assessed valuation of the property therein; provided that there shall not be included in the limitation of the indebtedness of such last described Cities and Towns the following classes of indebtedness, to-wit: temporary loans to be paid within one year, made in anticipation of the collection of taxes, and not exceeding one-fourth of the general revenue; bonds or other obligations already issued, or which may hereafter be issued for the purpose of acquiring, providing, improving or constructing

School Houses, water works, and sewers; and obligations incurred and bonds issued for Street or side walk improvements. (a) where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided that the proceeds of all obligations issued as herein provided, in excess of said seven per centum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of existing indebtedness. This Section shall not apply to the Cities of Sheffield and Tuscumbia.

Section Two. An election by the qualified electors of the State upon said proposed amendment is hereby ordered to be held on the first ..... after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this said Amendment is proposed. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by proclamation of the Governor, which shall be published in one Newspaper in each County in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section Three. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the Official ballot printed for such election there shall be printed the following, viz: "Shall Section 225, article XII of the Constitution of the State of Alabama be amended so as to read as follows:

Section 225. No City, Town, or other municipal corporation, having a population of less than Two Thousand Five Hundred, except as hereafter provided, shall become indebted in an amount including present indebtedness, exceeding five per centum of the assessed value of the property therein, except for the construction of or purchase of water works, gas or electric lighting plants, or sewerage, or for the improvement of streets, or for the purchase of Real Estate upon which to construction school houses, or for the construction and improvement of school houses, for which purposes an additional indebtedness not exceeding three per centum may be created; provided, this limitation shall not affect any debt now authorized by law to be created, nor any temporary loans to be paid within one year, made in anticipation of the collection of taxes, not exceeding one-fourth of the annual revenues of such City or Town. All towns and cities having a population of Two Thousand Five Hundred or more are hereby authorized to become indebted in an amount, including present indebtedness, not exceeding seven percentum of the assessed valuation of the property, therein; provided that there shall not be included in the limitation of the indebtedness of such last described Cities and Towns the following classes of

indebtedness, to-wit: Temporary loans to be paid within one year, made in anticipation of the collection of taxes, and not exceeding one-fourth of the general revenue; bonds or other obligations already issued, or which may hereafter be issued for the purpose of acquiring, providing, improving, or constructing School Houses, water works, and sewers; and obligations incurred and bonds issued for Street or side-walk improvements, (a) Where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided that the proceeds of all obligations issued as herein provided, in excess of said seven per centum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of existing indebtedness. This Section shall not apply to the Cities of Sheffield and Tuscumbia.

"Yes ....." "No....."

The choice of the elector shall be indicated by a cross mark made by him or under his direction, opposite the word expressing his desire.

Section Four. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of Officers to hold elections in this State, and the election shall be held in all things in accordance with this act, the law governing general elections, and the constitutional provisions concerning amendments to the Constitution.

Section Five. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length as required by the Constitution.

By Mr. Williams:

S. 374. To propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from

such improvements; to provide for the issuance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promote the public health and general welfare, and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1; The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvement against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article ..... of the Constitution of Alabama." Section 1. The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements apainst the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promate the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State,

and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Ellis of Dallas:

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the Sate of Alabama.

Judiciary.

By Mr. Craft (With N. & P.):

S. 376. To authorize Mobile County in this state, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile county to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile county to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election.

Public Roads and Highways.

With Notice and Proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama when convened in its next session hereafter, to pass a local act providing in substance as follows:

A BILL

To be entitled An act to authorize Mobile county in this state, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said county, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile county to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile county to

authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election.

Be it enacted by the Legislature of Alabama:

Section 1. That Mobile county, in the state of Alabama, when first authorized as hereinafter provided by a majority vote by ballot of the qualified voters of Mobile county voting upon such proposition, may become indebted and may issue bonds for the construction and improvement of concrete or better than concrete surfaced public roads and concrete or better than concrete public bridges in said county, and for the construction of bridges and roadways necessary to provide a public road for vehicular traffic between the highlands of Mobile and Baldwin counties in said state, provided, however, that the total amount of bonds at any one time outstanding shall not exceed six and one-half percentum of the assessed value at that time of the property situated in Mobile county.

Section 2. That, to pay the interest on any such indebtedness and on any such bonds, and to provide for the payment of the principal thereof at maturity, the Board of Revenue and Road Commissioners of Mobile county may, when first authorized as hereinafter provided by a majority vote by ballot of the qualified voters of Mobile county voting upon such proposition, annually levy and collect tax or taxes on all property situated in said county in an amount sufficient to pay the interest maturing during that year on all such bonds at that time outstanding, together with an amount sufficient to pay the principal of any serial bonds issued under the provisions of this act, maturing during such year; provided, however, that the total amount of taxes levied in any one year for the purposes aforesaid shall not exceed in the aggregate one-half of one percentum of the assessed value of the property situated in said county, according to the last completed assessment for state taxation.

Section 3. The bonds issued by such county under the authority of this act shall mature in annual installments. The number of installments and the amount of each installment shall be determined by the Board of Revenue and Road Commissioners before the election hereinafter provided for is called, provided, however, that the number of annual installments shall not be less than ten nor more than thirty, and the first installment of principal shall fall due and be payable not later than one year after the date of issue, and the amount of the principal due in any year after the first year shall not exceed the amount of the principal due in the previous year by more than one thousand dollars, if the total amount of such issues does not exceed one hundred thousand dollars, and if the total amount of such issue exceeds one hundred thousand dollars, the amount of the principal due in any year after the first year shall not exceed the principal due in the previous year by more than five thousand dollars.

Such bonds may be issued either in registered or coupon form. If they are coupon bonds, they may be registered either as to principal or as to both principal and interest. The Board of Revenue and Road Commissioners may appoint a bank or trust company as registrar or transfer agent, and provide for the registration or transfer of bonds by such registrar or transfer agent. The form of such bond or bonds shall be as prescribed by the Board of Revenue and Road Commissioners of said county; and such bonds shall be payable at such place or places as the Board of Revenue and Road Commissioners of said county may, by resolution, designate.

Section 4. No such additional indebtedness shall be created under the terms of this act, and no such additional bonds shall be issued in accordance with this act, and no such additional tax shall be levied until each improvement or construction proposed to be built from the proceeds of such bond issue, its approximate location or locations, its esti-

mated cost and the estimated time of its completion, and the amount of the proposed increase in indebtedness shall have been determined upon and made public by the Board of Revenue and Road Commissioners of Mobile County, in the manner hereinafter provided.

Section 5. The Board of Revenue and Road Commissioners of said county shall, from time to time, determine what concrete surfaced or better than concrete surfaced public road or roads, and what concrete or better than concrete bridge or bridges are to be constructed or improved within said county under the terms of this act.

Concrete or better than concrete surfaced roads, within the meaning of this act, shall be constructed or improved with a surface composed of bits of gravel, broken stone or slag in large or small fragments, thoroughly mixed with a cementing material, such as asphalt, Portland cement, puzolian cement, or other cementing compound or compounds, and placed in such a manner as to create an artificial stone or other material of a definitely stable nature.

Section 6. The Board of Revenue and Road Commissioners when first authorized as herein provided by a majority vote by ballot of the qualified voters of said county voting upon such proposition, may incur such indebtedness and issue such bonds and levy such tax or taxes, by this act authorized, either for the purpose of paying the entire cost of the construction or improvembent of one or more concrete or better than concrete road or roads, and the bridges connected therewith, and one or more concrete or better than concrete bridge or bridges, or may incur such indebtedness and issue such bonds and levy such tax or taxes, by this act authorized, for the purpose of paying such part of such construction or improvement as is not paid by the government of the United States of America or the Highway Department of the State of Alabama, or any other agency of the state of Alabama, and to that end may join with the United States of America or the state of Alabama, or both the United States of America and the state of Alabama, in the construction or improvement, and in paying for the construction or improvements, of any one or more such roads and bridges.

Section 7. Said board of revenue and road commissioners may determine upon the construction or improvement of only one such road, and the bridges conected therewith, or only one such bridge or the construction or improvement (as one project of construction and improvement) of one or more than one such bridge or bridges, and the construction or improvement of one or more such road or roads, and may determine upon the incurring of indebtedness, the issuance of bonds, and the levying of taxes, under the provisions of this act, for the payment of a part only of the cost of such construction or improvement of one or more such roads or bridges included in such improvement (where part of the cost thereof is paid by the state of Alabama or the United States of America) or the payment of the whole of the cost of such construction or improvement of one or more such roads or bridges included in such improvement: and, in any of such events, all the roads and bridges included in such plan of improvement or construction so determined upon by said board shall be deemed and held to be one "improvement or construction", within the meaning of this act.

Section 8. Before finally and formally adopting and agreeing upon any "improvement"' (as the word "improvement" is hereinabove defined) said Board of Revenue and Road Commissioners shall cause to be prepared by the County Engineer, or other engineer selected by said Board, (which engineer shall be a graduate in civil engineering of some resognized institute of technology or college or school of engineering, or be approved by the State Highway Department), preliminary maps of the road or roads, bridge or bridges, proposed to be included in such improvement, which maps

shall show the approximate location and the proposed termini of each road and bridge included in such "improvement", together with a preliminary report of such engineer, stating which of such roads and bridges are to be constructed, and which of such roads and bridges are to be improved, and describing the general character of the materials to be used in the construction or improvement of each such road or bridge. Such report may set out and describe certain alternative types of surfacing or paving, or other materials proposed to be used in the construction or improvement of such road or roads, bridge or bridges. Such report of such engineer shall also contain a preliminary estimate of the cost of the construction or improvement of each road or bridge included in such 'improvement" (as the word "improvement" is hereinbefore defined) together with an estimate of the total cost of all the roads or bridges included in such "improvement", and an estimate of the time which it will take to complete the construction or improvement of each road and the bridges connected therewith, and of each bridge not used in connection with a road embraced in such improvement.

Section 9. When such preliminary maps and reports have been prepared by the County Engineer, or other engineer employed by said Board, and have been submitted to said Board, said Board shall consider the same, and may either adopt and approve or reject the same, or cause such changes to be made therein as may seem proper in the judgment of said Board, Thereupon if the Board shall decide to engage in any "improvement" (as the word "improvement" is defined in this act), the Board shall, at a regular meeting of said Board, adopt resolutions setting forth the following:

1. The road or roads (together with the bridge or bridges to be constructed or improved in conection with such road or roads) to be constructed or improved in such "improvement";

2. The other bridge or bridges, if any, to be constructed or improved in such "improvement";

3. The approximate location and termini of each such road or roads, bridge or bridges;

4. Which of such road or roads, bridge or bridges, are to be constructed, and which are to be improved or surfaced;

5. The alternative types of material to be used in the construction, surfacing or other improvement of each such road or bridge;

6. The estimated cost of construction or surfacing or other improvement of each such road or bridge;

7. The estimated cost of construction or improvement, or both, of all the roads or bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

8. What part, if any, of the cost of construction or improvement of each such road or bridge is to be borne by the United States of America or the State of Alabama, and what part is to be borne by the County of Mobile.

9. The total estimated cost of the improvement or construction of all roads and bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

10. What part of said total cost of construction or improvement of all the roads and bridges included in such "improvement" (as the word "improvement" is defined in this act) to be borne by the County of Mobile, and what part or parts are to be borne by the State of Alabama and the United States of America, respectively:

11. The total sum by which it is proposed to increase the indebtedness of Mobile County by reason of and for the construction or improvement of roads and bridges embraced in such "improvement" (as the word "improvement" is defined in this act);

12. The time which it is estimated it will take to complete the construction or improvement of each road or roads (together with the bridges to be constructed or improved in conection with such roads), and each other bridge embraced in such "improvement", and an estimate of the time which it will take to complete the construction or improvement of all the roads and bridges embraced in such "improvement".

The said resolution shall also state that the preliminary maps, hereinbefore provided for, and the preliminary report of such engineer are on file with the Clerk of the Board of Revenue and Road Commissioners of said county, and are open to public inspection until the election hereinafter provided for is held; and said resolution may contain any other matter which the Board of Revenue and Road Commissioners may desire to incorporate therein.

Said resolution, when so adopted by the Board, shall be published once a week for three consecutive weeks, in some newspaper published within the city of Mobile.

Section 10. Thereupon, the said Board of Revenue and Road Commissioners, at the same meeting at which the said Board adopts the resolution provided for in section 9 of this act, or at any adjournment of said meeting, or at any other regular meeting of said board held subsequent to the meeting at which the resolution provide for in Section 9 hereof is adopted, shall adopt a resolution or resolutions fixing the total amount of bonds which it is proposed to be issued by the county of Mobile, under the provisions of this act, for the purpose of paying the cost of the "improvement" as the word "improvement" is defined in this act) embraced in the resolution adopted by said Board in accordance with the provisions of Section 9 of this act, the total number of installments in which such bonds shall mature, and the amount of each installment within the limitations prescribed in Section 3 of this act) the form of such bonds the place of payment of installments of principal thereof and interest thereon, and the maximum rate of interest to be borne by such bonds, together with any other matter which the Board of Revenue and Road Commissioners may decide to incorporate in such resolution.

At the same meeting of said Board, or any adjournment thereof, or at any subsequent regular meeting of said Board, the said board shall adopt a resolution or resolutions calling an election of the qualified electors of said county, for the purpose of submitting to such qualified voters of such county the question as to whether the indebtedness of Mobile county shall be increased by the sum stated in the resolution, and whether bonds of such county in an aggregate amount not to exceed such sum shall be issued by the county of Mobile, under the provisions of this act, and as to whether a tax shall be levied by said county annually, until all such bonds are paid in full, upon all the taxable property situated in said county, at a rate sufficient to provide for the payment, at maturity, of the interest on such bonds and the principal thereof.

No second election shall be called within six months respecting the same improvement after an election has been held with a result adverse to the increasing of such indebtedness, and the issuance of said bonds, and the levying of a tax sufficient to provide for the payment of interest and principal on said bonds at maturity, in respect of such improvement: but the board may, at any time after such election resulting adversely, determine upon an "improvement" (as the word "improvement" is defined in this act) in the manner hereinabove provided, call an election in respect thereof in the manner herein provided, and such improvement in respect of which such second election is called may include one or more of the roads or bridges included and embraced in the improvement in respect of which there was an election resulting adversely, but shall not include all of the roads and bridges embraced in the first improvement in respect of which the election

resulted adversely, unless the construction and improvement of other roads and bridges are added thereto and included therein. The identical proposition shall not be presented to the voters within six months after an adverse election.

Section 11. Notice of such election shall be given for thirty days by publication in a newspaper published in the city of Mobile once a week for three successive weeks, which notice shall state the purpose for which the election is to be held and the time and place for holding the same, the maximum amount by which it is proposed to increase the indebtedness of Mobile county, the maximum rate of interest which such bonds shall bear, the maximum period within which such bonds shall mature, and the number of installments and the maturity and amount of each installment, and the "improvement" (as the word "improvement" is in this act defined) to be paid for by the proceeds of such bonds and the estimated rate of tax levy which, on the basis of the last assessment of taxable property in said county for purposes of state taxation, it will probably be necessary to levy in order to provide for the payment at maturity of the interest on and the principal of such bonds so proposed to be issued. The statement of such estimated rate of levy shall not operate to prevent the board from levying such tax in such an amount each year as may, from time to time, be necessary to provide for the payment, at maturity of principal and interest on such bonds, whether the amount so actually levied is more or less than the estimated rate stated in such notice of election, provided, however, that the total levy of tax in any one year for the purpose of paying principal and interest on all bonds issued under the provisions of this act, and at that time outstanding, shall not exceed one-half of one per cent. Such notice may also contain such other matter as the board of revenue and road commissioners may decide to incorporate in said notice. Such notice shall be signed by the Judge of Probate of said county or the chairman of the Board of Revenue and Road Commissioners, or some member of such Board designated for that purpose by resolution of said Board. If no newspaper is published in said city, such notice may be published in any newspaper published in said county, and if there be no such newspaper published in said county, then the notice must be posted in five public places in the county, at least thirty days before the time of holding the election.

Section 12. The ballot used at such election must be prepared under the direction of the Probate Judge of Mobile county, and shall be substantially in the following form:

"OFFICIAL BALLOT

Of the Election to be Held on the .....day of.....,19....., to Submit to the Qualified Electors of the County of Mobile whether or not an Additional Indebtedness of the County of Mobile in the Sum of .....Dollars shall be created, and Whether or Not the County of Mobile shall Issue.....Thousand Dollars in Bonds for the Purposes Hereinafter Stated, and Whether the Board of Revenue and Road Commissioners of said County shall be authorized to Levy an Additional Tax Annually, Until all Such Bonds are Paid in Full, Upon all the Taxable Property in said County, at a Rate Sufficient to Provide for the Payment, at Maturity, of the Interest on Such Bonds and the Principal Thereof.

(The creation of additional indebtedness of the County of
(Mobile, in the sum of ..... (here insert the
(amount of the proposed increase of indebtedness) dollars
(and a proposed bond issue of ..... thousand

(dollars bonds of the County of Mobile, to be sold for the (purpose of constructing and improving the following con-(crete or better than concrete surfaced roads and concrete (or better than concrete bridges in said county (here insert (a short description, in general terms, of the road or roads, (bridge or bridges, to be constructed or improved, or, if the (bond issue be for the construction of bridges and roadways (necessary to provide a public road for vehicular traffic be-(tween the highlands of Mobile and Baldwin counties, insert (a general description of such bridge or bridges and road-
( ) For (ways): said bonds to bear interest at not exceeding.....
( ) Against (per centum per annum, payable semi-annually; said bonds (to mature serially in installments, the last installment to (be payable not later than 30 years from the date of issue (of such bonds, and to be payable at ..... (here in-(sert the name of the bank or other place of payment and the (address of such bank or institution designated as the place (of payment); and authorizing the Board of Revenue and (Road Commissioners to levy annually, until all such bonds (are paid in full, a tax upon all the taxable property situated (in said county, at a rate sufficient to provide for the pay-(ment, at maturity, of the interest on such bonds and the (principal thereof. Provided, however, that the total amount (of taxes levied in any one year under the provisions of the (Act of ....., 1927 (here insert date of ap-(proval of this act) shall not exceed, in the aggregate, one-(half of one per centum."

Section 13. The chairman of the Board of Revenue and Road Commissioners of said county, or some other member of such Board designated for that purpose by resolution of said Board, immediately after the passage by said Board of the resolution calling such election, shall notify the Probate Judge of said county of the calling of such election. The Probate Judge, Clerk of the Circuit Court of said county, and the Sheriff of said county, within ten days after receipt of such notice, shall appoint three managers, two clerks, and one returning officer to conduct the election in each beat or polling place in said county; and said managers shall all reside in the beats, wards, or precincts where they are respectivcely appointed to serve, and shall be qualified electors at the date of said election.

Section 14. The Sheriff shall notify the managers, clerks, and returning officers of their appointments, and send out the ballots to the several beats or polling precincts in the county.

Section 15. All expenses for holding such election shall be paid out of the treasury of said county; and the managers, clerks, and returning officers shall be entitled to the same compensation as managers, clerks, and returning officers of the general election.

Section 16. The Clerk of the Circuit Court, Probate Judge and Sheriff of such county shall constitute a Board to canvass the returns and declare the results of such election. They shall meet at the court house of said county on the Saturday following the holding of said election and canvass the returns and declare the result of such election and certify and return such results to the board of revenue and road commissioners of said county. In case either of the three should be absent, the remaining two shall act.

Section 17. A contest of such election may be made by any qualified elector of the county by executing a bond, with sufficient surety, to be approved by the judge of probate of said county, for the payment of the costs of the contest. Notice of the contest shall be served on the Circuit Soliictor of said county, and said solicitor shall respond in the name of

the county, and the county shall be contestee. In all courts, said contest shall be a preferred case.

Section 18. The record of the result of such election, as returned by the Board of Canvassers, shall be recorded in the minutes of the Board of Revenue and Road Commissioners of said county, and, when so recorded, the record shall be conclusive evidence of the matters therein stated, and of the validity of such election, unless contested as hereinabove provided.

Section 19. No action shall be commenced to test the validity of any such election, or to attack the issuance of bonds pursuant to such election, unless the said action be commenced within thirty days from the date of declaring the result of said election.

Section 20. If, at any election held under and according to the provisions of this act, a majority of the qualified electors of the county voting upon such proposition vote in favor of the increase of indebtedness and the issuance of bonds and the levying annually, until all such bonds are paid in full, a tax upon all the taxable property in said county, sufficient in amount to pay, at maturity, the interest upon such bonds and the principal thereof, then the Board of Revenue and Road Commissioners of said county may incur an additional indebtedness, and may issue bonds of such county, under the provisions of this act, in the amount and for the purpose mentioned in the notice of election hereinbefore provided for; and the said county may, thereafter, until all of the said bonds and the interest thereon, are paid in full, each year levy on all the taxable property in said county a tax at a rate and in an amount sufficient to provide for the payment, at maturity, of the interest on such bonds at that time outsanding, and the principal thereof at the time each installment of principal becomes due; provided, however, that the total amount of all the taxes levied under the provisions of this act in any one year shall not exceed one-half of one percentum of the total assessed value during that tax year of all the taxable property in said county, it being the intent and purpose of this section to authorize and require the Board of Revenue and Road Commissioners of said county each year to levy a tax sufficient to pay the interest maturing during that year on all bonds theretofore issued under the provisions of this act, and at that time outstanding, and also sufficient to pay the installments of principal of such bonds theretofore issued which mature during that year, provided, however, that the total amount of all such taxes so levied under the provisions of this act (excluding, however, any tax levied under the provisions of any other act of the legislature or provisions of the constitution of the state of Alabama) shall not exceed, in the aggregate, in any one year, the rate of one-half of one percentum.

Section 21. All bonds and interest coupons attached to same issued under the provisions or authority of this act shall be exempt from state, county, and municipal taxation, and shall have all the protection of commercial paper, and such bonds and coupons shall, after the maturity thereof, be received in payment of all taxes and dues to the said county.

Section 22. No irregularity in the proceedings to authorize the issue of bonds under this act, and no omission or neglect of any officer charged with the execution of any duties imposed by this act, shall affect the validity of any bonds issued under authority of this act.

Section 23. Any bonds reciting that they are issued pursuant to the provisions of this act shall, in any action or proceedings involving their validity, be conclusively deemed to be fully authorized by this act, and to have been issued, sold, executed, and delivered in conformity herewith, and with all other provisions of law applicable thereto, and shall be incontestible, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun before or within 30 days after the day upon which the bonds are delivered and paid for.

Section 24. All bonds issued under the provisions of this act shall be signed by the chairman of the board of revenue and road commissioners of said county, or such other members thereof as may be by resolution of said board, specially designated for that purpose, and shall have impressed thereon the seal of said county, if, by resolution of said board, a special county seal has been adopted, and if no special seal has been adopted by the county, then the seal of the probate court of said county may be adopted and used as the county seal. Interest coupons attached to the bonds shall bear a facsimile signature of the county treasurer. The delivery of bonds so executed shall be valid, notwithstanding any changes in officers or in the seal of the county, occuring after the signing and sealing of the bonds.

Section 25. Where no provisions are otherwise made in this act, the general election laws of the state then in existence, with regard to all notices, qualifications of voters, official acts, and things to be done in connection with ordering and holding elections, making returns, canvassing and certifying the same, shall govern; and all penalties fixed for wrongful acts and violations of the general election laws of the state shall apply to similar acts and violations in all elections held under this law.

Section 26. All bonds issued under the terms of this act shall be sold to the highest bidder at public sale, unless sold within thirty days after failure to reecive any legally acceptable bid at a duly advertised public sale, in accordance with this section, A public sale shall be either on sealed bids or at auction. The notice of the public sale shall state whether the sale is to be on sealed bids or at auction, and shall also state the amount of the bonds to be sold, the maturities thereof, the amount payable at each maturity and either the rate of interest which the bonds are to bear, or that the bidders are invited to name the rate of interest in their bids, and shall also state the time and place of sale, or for submitting sealed bids. Such notice shall be published once in each of three consecutive weeks in a newspaper published in said county, and also in a newspaper published in each of the cities of New York and Chicago, and may be published in such other newspapers as may be ordered by the Board of Revenue and Road Commissioners of said county. The first of such three publications shall be not less than twenty days before the last date for submitting bids, if the sale is on sealed bids, or the date of sale if the sale is at auction. Said Board shall have the right to reject all bids. If no legally acceptable bids are received at any such public sale, the bonds may be sold at private sale, provided such private sale occurs within thirty days after the date fixed for said public sale, but no such private sale shall be made at a price less than the highest bid received at said public sale.

In determining the highest bidder for bonds offered for sale, the net interest cost to the county, as shown in standard bond value tables, shall govern, provided, however, that the determination of the Board of Revenue and Road Commissioners as to which bidder is the highest bidder shall be final, conclusive, and binding upon all persons whomsoever.

Section 27. The proceeds of the sale of any bonds issued under the provisions of this act shall be used only for the purposes for which the bonds are issued, provided, however, that if, for any reason, any part of such proceeds be not necessary for such purposes, such unexpended part of the proceeds shall be applied to the payment of the principal of said bonds. The cost of preparing, issuing, and marketing bonds, including all legal services in connection therewith, the cost of all engineering services in connection with the preliminary maps, and preliminary engineer's reports hereinbefore provided, the cost of the publication of the resolution of said Board, provided for in section 9 of this act, the cost of notice of and the holding of all elections required by this act, and the canvassing of returns, as hereinabove provided, and all costs and expenses incident to the con-

struction or improvement for which the bonds are issued, including engineering costs legal fees, incidental expenses, and interest during construction, shall be deemed to be purposes for which the bonds are issued, and such costs shall be payable out of the proceeds of the sale of such bonds.

Section 28. No road shall be included in any such "improvement" (as the word 'improvement" is hereinabove defined) except such as are public roads at the time, or such as may be designated as public roads, in accordance with the provisions of the laws of the state of Alabama.

Section 29. If any sentence, clause, or section of this act shall be held unconstitutional, this shall not affect any other section of this act, it being the intention of the Legislature, in enacting this law to enact each section separately.

Section 30. All laws or parts of laws, general or local, in conflict with this act, are hereby repealed, insofar as the same affect the operation of this act. This act shall take effect upon passage and approval by the Governor.

STATE OF ALABAMA,
Mobile County,
City of Mobile.

Before me, Nettie Chandler, a Notary Public in and for said State and County, this day personally appeared J. C. Ballentyne, who is known to me, and who, being by me first duly sworn, deposes and says that he is AUDITOR of the Mobile Register Co., Inc., publishers of the Mobile Register, a newspaper published in said State, County and City, and that the attached notice of intention to apply for passage of local law to authorize Mobile County to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads, et cetera, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of June 20, June 27, July 4, and July 11 A. D. 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me on this, the 12th day of July, 1927.

Nettie Chandler,
(Seal) Notary Public, Mobile County, Alabama.

By Mr. Craft:

S. 377. To require the Boards of Revenue and Road Commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as Road Engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict with this Act.

Public Roads and Highways.

By Mr. Hall (With N. & P.):

S. 378. To repeal An Act entitled An Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of

a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act", approved September 28th, 1923.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF APPLICATION TO REPEAL LOCAL ROAD LAW FOR HENRY COUNTY, ALA.

Notice is hereby given, that the Commissioner's Court at its June Term 1927 recommended repeal of the local road law of said county, and ordered published, notice of the application to be made to the legislature for such repeal, the repealing act of which is hereinafter following.

H. W. Owens, Probate Judge,
Henry County, Ala.

AN ACT

To repeal an act entitled an act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act." approved September 28th, 1923.

PROOF BY AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Mobile County.

Before me, H. W. Owens, Judge of Probate in and for said County in said State, personally appeared H. C. Rodgers, who is known to me and known to be a credible person, and who, on oath duly administered, deposes and says, as follows:

That he is Associate Editor of the Abbeville Herald, a newspaper published weekly in the Town of Abbeville in said county, and has charge of publications made in said paper;

That the aforesaid notice of intention to apply to legislature for enactment of a Road and bridge law for said county, together with said law in full, the caption of which is as aforesaid, entitled "An Act" etc., was published in said newspaper for four consecutive weekly publications, on dates of June 16th, 23rd and 30th, also July 7th, 1927.

H. C. Rodgers,
Manager.

Sworn to and subscribed before me, this, the 13th day of July, 1927, at Abbeville in said county and State.

H. W. Owens,
Judge of Probate.

(Seal)

By Mr. Hall (With N. & P.) :

S. 379. To further provide for construction and maintenance of the public roads and bridges of the county of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said county; providing for payment of a per capital tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said County to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this Act, all of which under directions of the commissioner's court of said County; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date for this Act to take effect."

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR ROAD AND BRIDGE LAW FOR HENRY COUNTY

Notice is hereby given, that the Commissioner's Court of Henry County, Alabama, at its June Term 1927, recommended enactment of the following Road and Bridge law for said county, and ordered published that notice of intention to apply for such enactment, will be made.

H. W. Owens, Probate Judge.
Henry County Alabama.

AN ACT

Entitled an Act, "To further provide for construction and maintenance of the public roads and bridges of the County of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said county; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said county to the road and bridge fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this act, all of which under directions of the commissioner's court of said county; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith and fixing date for this act to take effect."

PROOF BY AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Henry County.

Before me, H. W. Owens, Judge of Probate in and for said county in said state, personally appeared H. C. Rodgers, who is known to me and known to be a credible persons, and who, on oath duly administered, deposes and says, as follows

That he is Associate Editor of the Abbeville Herald, a newspaper published weekly in the Town of Abbeville in said county, and has charge of publications made in said paper;

That the aforesaid notice of intention to apply to legislature for enactment of a Road and bridge law for said county, together with said law in full, the caption of which is as aforesaid, entitled "An Act" etc., was published in said newspaper for four consecutive weekly publications, on dates of June 16th, 23rd and 30th, also July 7th 1927.

H. C. Rodgers,
Manager.

Sworn and subscribed to before me, this, the 13th day of July 1927, at Abbeville in said county and State.

(Seal)

H. W. Owens,
Judge of Probate.

REPORTS OF COMMITTEES

Mr. Mitchell, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate, with favorable report, and they were severally read a second time and placed on the aclendar, to-wit:

By Mr. Ware (With N. & P.):

H. 458. To provide for the election of a County superintendent of Education of Randolph County, Alabama, by the qualified electors of said County, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

By Mr. Warren (With N. & P.):

S. 337. To provide for the manner of selecting the County Superintedent of Education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Frey (With N. & P.):

H. 562. For the relief of Lucien W. Brown.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 600. To amend Section 22 of an Act "to provide and create a Commission form of Municipal Government and to

establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government." approved Sept. 18, 1923.

Mr. Mitchell, Chairman of the Standing Committee on Education reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Darden (With N. & P.):

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintedent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

By Mr. Darden (With N. & P.):

H. 589. To divide Coosa County, Alabama, into five county board of education districts, to define the boundaries of said districts, to provide for the nomination and election of a member of the county board of education of Coosa County from each of said districts for said county, to provide for the nomination and election of two members of the county board of education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the county board of education of Coosa County, Alabama; to define the duties of the county board of education of said county of Coosa and State of Alabama, thus elected; and to provide that women may serve on the county board of education of Coosa County, Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without Engrossment.

By Mr. Patterson (With Notice and Proof):

H. 633. To provide for the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of a Court House for Morgan County, Alabama, in Decatur, Alabama, and to establish for the consummation of such purpose a Court House Commission; and to authorize and empower said Commission to erect, build, repair, remodel, or reconstruct, and equip and outfit a Court House for said County; to make temporary loans in anticipation of the collection of taxes; to invest the Commission with power and authority now held by the Board of Revenue of Morgan County, Alabama, for the purpose of erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House; to create and designate the funds from which the cost of said erection, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House shall be paid; and to prescribe the powers and duties of said Commission, and the powers and duties of the Board of Revenue of Morgan County, and the County Depository incident to the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of said Court House:

With Notice and Proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
Morgan County.

To Whom it May Concern:

Notice is hereby given that a Local Bill will be introduced at the approaching Session of the Legislature of Alabama, which is to convene on June 7, 1927, and that application will be made for the passage of said Bill by the Legislature at said Session. The Bill is in substance as follows:

A BILL

To be entitled an Act to provide for the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of a Court House for Morgan County, Alabama, in Decatur, Alabama, and to establish for the consummation of such purpose a Court House Commission; and to authorize and empower said Commission to erect, build, repair, remodel, or reconstruct, and equip and outfit a Court House for said County; to make temporary loans in anticipation of the collection of taxes; to invest the Commission with power and authority now held by the Board of Revenue of Morgan County, Alabama, for the purpose of erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House; to create and designate the funds from which the cost of said erection, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House shall be paid; and to prescribe the powers and duties of said Commission, and the powers and duties of the Board of Revenue of Morgan County, and the County Depository incident to the erecting, building, repairing, remodeling, or reconstructing, and equipping, and outfitting of said Court House:

Be it Enacted by the Legislature of Alabama:

Section 1. A Commission is hereby created in Morgan County, Alabama, to be known as "Morgan County Court House Commission" which

Commission shall be composed of five resident citizens of said county, as follows: B. L. Malone, Ben F. Martin, Thos. A. Bowles, John W. Jones, M. R. Rankin, and said parties named are hereby appointed Commissioners and made members of said Commission, and they and their successors shall constitute said Commission, with the rights, powers, duties, authorities and privileges herein conferred and prescribed, and shall exist until legally abolished.

Section 2. A majority of the members of said Commission shall constitute a quorum for the transaction of business. The said Commission shall elect one member as President thereof, and one member as Clerk thereof, and such officers from the personnel of the said Commission as they deem advisable, and they may pass such rules, regulations and by-laws for the governing of the Commission as they see fit. The Commission shall so organize itself immediately after this Act shall have become a law.

Section 3. Any vacancies which may occur in said commission by reason of the death, resignation or failure of any Commissioner to act, or from any other cause, shall be filled by the remaining Commissioners or majority of the remaining Commissioners as often as any such vacancy occurs, by electing a resident of said County as Commissioner.

Section 4. Said Commission shall act and be held to act for Morgan County, Alabama, and no members thereof shall be held personally liable for any act of said Commission or for any act done by him as Commissioner, while acting in pursuance of the authority herein conferred, or while acting in pursuance of the directions of said Commission in pursuance of the authority herein conferred.

Section 5. All contracts made by said Commission shall be in the name of Morgan County, by said Commission, and all transactions of said Commission under the authority herein conferred shall be in the name of Morgan County, by said Commission.

Section 6. Said Commission shall be, and the same is hereby authorized and empowered to erect, build, construct, repair, remodel, or reconstruct and equip and outfit, or cause to be erected, built, constructed, repaired, remodeled, or reconstructed, and equipped and outfitted, a Court House for Morgan County, Alabama, in the City of Decatur, Alabama, said Court House to be erected, built, constructed, repaired, remodeled, or reconstructed, and equipped and outfitted, out of such material and in such manner as to size, plans, blue prints and specifications as the said Commission may deem best, said Commission keeping in view that from time to time in the future, it may be necessary to make additions to said Court House in order to keep pace with growth and development of said County, said Commission shall have the right and authority to employ such experts, architects and engineers, and such labor and professional skill of all kind as may be deemed necessary to accomplish the work, and exercise the powers and rights herein conferred, and may make such contracts and agreements as may be deemed advisable and necessary to accomplish the work and exercise the powers and rights herein conferred, and may do any and all of the work necessary in the erecting, building, constructing, repairing, remodeling, or reconstructing and equipping and outfitting of said Court House, and employ such laborers and employes, and buy such material as may be deemed necessary or may let any or all of the work by contract or contracts as the commission may deem advisable and see fit, to the lowest and best responsible bidder or bidders, and with the view always to keep the construction within the limits of such funds as are and will be available for the use by said Commission, and not to incur for said purposes any expenses or costs exceeding or in excess of any constitutional limits upon the county of Morgan.

Section 7. Said Commission shall erect, build, repair, construct, remodel, or reconstruct, and equip and outfit said Court House, upon a site

now owned by the County of Morgan in the City of Decatur, Alabama. And any and all funds and moneys now owned and held by the said County of Morgan, received and derived from collection of insurance on building property and personal property of said County recently damaged, injured or destroyed by a fire, shall be devoted and utilized by said Commission for the purpose exclusively, of erecting, building, constructing, repairing, remodeling or reconstructing, and equipping and outfitting said Court House, and all funds heretofore authorized by action of the Board of Revenue for the purpose of erecting, building, constructing, repairing, remodeling, or reconstructing and equipping and outfitting of said Court House, by the sale or agreement to sell warrants issued by the County of Morgan, shall be devoted exclusively for the purposes of erecting, building, constructing, repairing, remodeling or reconstructing, and equipping and outfitting said Court House.

Section 8. The Board of Revenue of Morgan County shall be required, upon the written request of the Commission, promptly to issue and sell, for cash, a sufficient amount of warrants of the County, not to exceed, however, the constitutional debt limit or any other provision of law, to pay for the erecting, building, constructing, repairing, remodeling or reconstructing and equipping and outfitting a Court House, according to plan approved by the Commission or any contract let by the Commission; and the failure of the Board of Revenue to do so for 15 days after such written request is made of it by the Commission, shall authorize the Commission to issue and sell such warrants of the County of Morgan for such purposes, and all funds received from such sale of warrants shall be deposited with the Depository of Morgan County, as a special fund for the purpose of erecting, building, constructing, repairing, remodeling or reconstructing, and equipping and outfitting a Court House; and all funds and moneys now owned by the County of Morgan, received from insurance on its buildings and personal property, shall be placed in said special fund, and all other funds received and authorized for the purpose of erecting, building, constructing, repairing, remodeling or reconstructing and equipping and outfitting a Court House shall be deposited with the County Depository, and shall be placed in a special fund by the County Depository, and for which fund or funds, the County Depository shall make a bond conditioned as required by law, and which shall stand as security for the faithful discharge of duties by the said Depository in respect of all funds which shall come into his or its custody under the provisions of this Act, and said special fund of the County Depository shall be known and designated as "Court House Building Funds."

Section 9. All work let to a contractor or contractors shall be let to the lowest and best responsible bidder, after bids are advertised for in such newspaper and newspapers and for such length of time as the Commission may see fit. The Commission may reject any and all bids and the Commission shall have the exclusive right to determine who is the lowest and best responsible bidder. Said Commission shall file with the Board of Revenue of the County a statement of all bids received on each lot or parcel of work let, showing the amount of all bids received and stating in the report which bid was accepted, and the Board of Revenue shall cause each and all such reports to be recorded on its record.

Section 10. All contractors where the amount to be paid under the contract exceeds one thousand dollars shall give bond with some guaranty company as surety, to be approved by the Commission or some authorized committee appointed by the Commission, in an amount at least one-fourth of the bid, and so conditioned as the Commission may require to secure the faithful performance of the contract.

Section 11. Said Commission shall require the supervision engineer, architect or other person upon whose estimates and acceptance payments are made to the contractor or contractors, to execute a bond payable to said

County, with some guaranty company to be approved by the Commission as surety, in a sum of not less than one-eighth of the contract let, upon which he accepts the work and gives the estimates, and so conditioned as to guarantee the honest and faithful discharge of his duties in giving estimates and accepting work.

Section 12. Any supervision engineer, architect or other person upon whose estimates and acceptance payments are made to the contractor or contractors, who carelessly or intentionally accept work which does not conform to the requirements of the plans and specifications, or who carelessly or intentionally give estimates in excess of the amount for which they should be given shall be liable in an amount three times in excess of the damage sustained by such action, which sum may be sued for and recovered by said Commission in the name of said County. And any contractor or sub-contractor who receives payments for work done, knowing that such work was not done in conformity to the plans and specifications, or who receives payment on estimates which he knows to be in excess of the amount of the estimates should be for, shall be liable in an amount equal to three times the damage sustained by such action, which sum may be sued for and recovered by said Commission in the name of said County.

Section 13. No member of said Commission, and no person who has been a member of said Commission within six months from the time of the making of the contract, shall be directly or indirectly pecuniarly interested in any contract made by said Commission. And any and all contracts made in violation of this provision are declared to be void and aganst public policy, and no such contract shall be enforceable in any court for the benefit of any person whatsoever. Any money paid to any person on such a contract as is declared void in this section may be sued for and recovered for and in the name of said County by said Commission or the Board of Revenue, without abatement on account of the value of any work done or material furnished under the contract.

Section 14. No member of said Commission, and no person who has been a member of said Commission within six months from the time of making the sale, shall be directly or indrectly pecuniarily interested in the sale of any material or supplies to said Commission, or any contractor or sub-contractor, to be used in or in the furtherance of the work of said Commission, and no suit can or shall be maintained in any Court by the seller, or by any person or corporation claiming through the seller, for the purchase price or value of any material or supplies sold in violation of the provisions of this section. And said Commisson or said Board of Revenue may, in the name of said county, sue for and recover from the seller the amount of all money paid such seller for material and supplies sold in violation of the provisions of this section.

,Section 15. Said Commission shall cause to be kept full and accurate minutes of the acts and proceedings of its meetings, and shall preserve all books, plans, contracts, maps, engineers and architects reports and other papers acquired during the construction of the work herein authorized.

Section 16. The County Depository of Morgan County shall be the custodian of all money or monies heretofore realized or which may hereafter be realized from the sale of any warrants heretofore authorized to be issued and sold or any bonds hereafter to be issued and sold, authorized by special election, to be issued and sold for the purpose of erecting, building, constructing, repairing, remodeling, or reconstructing and equipping and outfitting, a Court House for said County, and all other funds derived from other sources for such purposes, and all such funds received by the County Depository shall be deposited in a special fund known as the "Court House Building Fund" and upon receipt of the first fund or funds by the County Depository of the "Court House Building Funds," it shall make and execute to the County of Morgan, a bond in such sum as may be fixed by the Commission, for the disbursement of said fund or

funds, and the faithful discharge of his duties with respect to said fund or funds according to law; and it shall be the duty of the Commission and of the Board of Revenue of Morgan County, Alabama, to pay over to the County Depository any and all monies received by them or either of them from insurance collected, warrants heretofore authorized to be issued and sold or hereafter authorized to be issued and sold for the Court House Building purposes, and bonds that may hereafter be authorized to be issued and sold for the purpose of erecting, building, constructing, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House and all special funds received or derived from such special sources, for Court House erecting, building, constructing, repairing, remodeling or reconstructing, and equipping and outfitting purposes, and said funds within five days after receipt by either this Commission or the Board of Revenue of Morgan county, shall be paid over to the County Depository.

Section 17. It shall be the duty of the said Commission to semi-annually make to the Board of Revenue of Morgan County, a full and complete written report of its acts and doings, in which report it shall set forth a statement of all expenditures; and the County Depository shall also, semi-annually, make to the Board of Revenue an itemized statement of all warrants paid by it for any cost incurred in the erecting, building, constructing, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House by said Commission; and said Board of Revenue shall cause said reports to be recorded in the records kept by said Board.

Section 18. The expenses of erecting, building, constructing, repairing, remodeling, or reconstructing, and equipping and outfitting said Court House done by said Commission, and all costs and expenses incident to doing any work, by the Commission authorized to be done by this Act, shall be paid out of money or monies received from the sale of warrants of the County heretofore authorized or hereafter authorized by the Board of Revenue, or otherwise authorized, for Court House purposes, and from the sale of bonds which may be hereafter authorized by a special election to be issued and sold for the purpose of erecting, building, constructing, repairing, remodeling, or reconstructing, and equipping and outfitting said Court House, and from the insurance money collected by the County of Morgan for the loss or damage sustained by reason of fire to former Court House and personal property, and shall be paid on warrants authorized by the Board of Revenue of said County, which shall not be authorized except on the written requisition therefor on the Board of Revenue of said County by the said Commission, and it shall be the duty of the Board of Revenue of said County to authorize and cause warrants to be drawn as and when requisitions are made by the said Commission on said Board of Revenue, and when said warrants are so drawn, it shall be the duty of the County Depository to pay the same from the special Court House Fund; however, in case of an "emergency" the Commission shall have the right, power and authority to issue warrants which shall be signed by the President and attested by the Clerk of the Commission, and it shall be the duty of the County Depository upon presentation of any such warrant to pay the same from said fund as if issued by the Board of Revenue of Morgan county, and all warrants so issued by the Commission shall be marked "emergency" and a report of the issuance of such warrant or warrants by the Commission shall promptly be made to the Board of Revenue of Morgan County, Alabama; and the Commission shall be the sole judge of the "emergency" for the issuance of such warrant or warrants.

Section 19. All money remaining in the custody of the County Depository of said County from the sale of warrants, sale of bonds, collection of insurance money, or money derived from other sources after the said Court House authorized to be erected, built, constructed, repaired, remodeled, reconstructed and equipped and outfitted has been completed, and all

costs and expenses incident to the erection, building, constructing, repairing, remodeling, or reconstructing and equipping and outfitting has been paid, shall be used and applied under the direction and order of the Board of Revenue of said County in taking up and paying the now existing interest-bearing indebtedness of the County evidenced by warrants or bonds.

Section 20. The Commission is invested with any and all authority, right or power now possessed by the Board of Revenue of Morgan County, Alabama, in regard to the erecting, building, constructing, repairing, remodeling or reconstructing, and equipping and outfitting said Court House, and to provide funds in such manner and way as the Board of Revenue of Morgan County, Alabama, is now authorized by law for such purposes. Any such power or authority now given by law to said Board of Revenue of Morgan County, Alabama, for such purposes, is hereby specifically conferred on said Commission.

Section 21. No member of said Commission shall receive any compensation for his services.

Section 22. No suit shall be maintained against said County for any act done or omitted by said Commission until and unless a claim therefor is filed with said Commission within ninety days from the commisson or omission complained of, and in the event the said Commission declines or fails to pay such claim no suit shall be maintained thereon unless suit is filed in a Court having jurisdiction within six months from the time the claim is filed with said Commission.

Secton 23. If any section, clause or provision of this Act shall be declared unconstitutional, it shall not affect any other section, clause or provision of this Act, but the same shall remain in full force and effect.

Section 24. This Act shall take effect immediately on its approval by the Governor.

John Patterson.

STATE OF ALABAMA,
County of Morgan.

Before me, R. T. Sheppard, a Notary Public, in and for said County in said State, this day personally appeared B. C. Shelton, who being first duly sworn deposes and says that he is the principal owner and the Managing Editor of the Decatur Daily, a paper of general circulation, published in the City of Decatur, County of Morgan, State of Alabama, that the above and foregoing, "State of Alabama, Morgan County. To whom it may concern: Notice is hereby given that a Local Bill will be introduced at the approaching Session of the Legislature of Alabama, which is to convene on June 7, 1927, and that application will be made for the passage of said Bill by the Legislature at said Session. The Bill is in substance as follows: "A Bill to be entitled an Act to provide for the erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting of a Court House for Morgan County, Alabama, in Decatur, Alabama, and to establish for the consummation of such purpose a Court House Commission; and to authorize and empower said Commission to erect, build, repair, remodel, or reconstruct, and equip and outfit a Court House for said County; to make temporary loans in anticipation of the collection of taxes; to invest the Commission with power and authority now held by the Board of Revenue of Morgan County, Alabama, for the purpose of erecting, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House; to create and designate the funds from which the cost of said erection, building, repairing, remodeling, or reconstructing, and equipping and outfitting a Court House shall be paid; and to prescribe the powers and duties of said Commission, and the powers and duties of the Board of Revenue of Morgan County, and the County Depository incident to the erecting, building, repairing, remodeling, or reconstructing, and equipping

and outfitting of said Court House:" was published in the said Decatur Daily once a week for four consecutive weeks, namely: May 28th, June 4th, June 11th, and June 18th, 1927, and that the above and foregoing copy of said notice and bill is an exact copy of the same as published and appeared in said four issues of said newspaper.

B. C. Shelton,
Managing Editor, Decatur Daily.

Subscribed and sworn to before me, this the 20th day of June 1927.

Robert Sheppard,
(Seal) Notary Public, Morgan County, Alabama.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 633. To the Committee on Local Legislation.

UNFINISHED BUSINESS

The Senate proceeded to consider the unfinished business of yesterday's session, which was the bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

And the amendment thereto offered by Mr. Ellis of Shelby which said amendment was set out at length in the Journal of yesterday.

Mr. Ellis of Shelby offered the following amendment to the amendment:

Amend Amendment by striking out sub-sections 2-G and 2-I, and insert in lieu thereof the following:

2-G. Every person, firm, corporation, partnership, joint stock company or association engaged in the business of operating a mine, a quarry, sand and gravel pits, slag pile or slag pits for the mining or quarrying of slag, minerals or mineral products, except, however, coal and iron ore, in this State shall pay to the State Treasurer for the use of the State a license or privilege tax for the privilege of operating such mine, quarry or pit in an amount equal to three (3) per cent of the net value at the mine, quarry or pit of the products taken therefrom, whether such mine, quarry or pit be an open or underground mine, quarry or pit. In arriving at said net value, all costs of mining, quarrying, loading and preparation for market shall be deducted and in no event shall said privilege license tax exceed in amount a reasonable royalty on such products. This privilege

or license tax must be paid by the 20th day of each month for the privilege of operating such mine, quarry or pit during the current month in which such payment is due, provided, however, that no county in the State shall levy this character of tax. Railroad weights shall govern in determining the amount where said products are loaded in railway cars.

Which was adopted.

Yeas, 21; Nays, 6.

Yeas:
Messrs.:

Bradford	Hines	Loflin	Stanley
Brown	Holmes	Mitchell	Stokes
Cowan	James	Moore	Teasley
Craft	Jones	Nixon	Warren
Edgar	Justice	Nolen	Young
Ellis of Shelby			

—21

Nays:
Messrs.:

Bonner	Ellis of Dallas	Jack	Walker
Carlton	Fite		

—6

Mr. Craft offered the following amendment to the amendment to-wit:

Amend Amendment to H. B. 359 so as to substitute the words $50,000 for the words $10,000 where they appear in Section 2-B of said Amendment.

Which was adopted.

Yeas, 24; Nays, 1.

Yeas:
Messrs.:

Bonner	Edgar	James	Nolen
Bradford	Ellis of Dallas	Jones	Stanley
Brown	Ellis of Shelby	Justice	Stokes
Caffey	Hines	Loflin	Walton
Cowan	Holmes	Mitchell	Warren
Craft	Jack	Moore	Young

—24

Nay:—Mr. Carlton—1.

Mr. Fite offered the following amendment to the amendment of Mr. Ellis of Shelby, to-wit:

AMENDMENT TO SENATE BILL 359

Amend Sub-section 2-E of the Substitute offered for Section 2 by striking out the words "2½ cents" per ton where they appear therein, and inserting in lieu thereof, the words: "Two cents per ton."

Mr. Ellis of Shelby moved to lay said amendment on the table, which motion prevailed and the amendment was tabled.

Yeas, 16; Nays, 11.

Yeas:
Messrs.:

Brown	Hall	Loflin	Nolen
Caffey	James	Mitchell	Stokes
Craft	Jones	Moore	Thompson
Ellis of Shelby	Justice	Nixon	Young

—16

Nays:
Messrs.:

Bonner	Edgar	Hines	Walker
Bradford	Ellis of Dallas	Jack	Walton
Carlton	Fite	Teasley	

—11

Pending the further consideration of said bill and amendment:

RECESS

At 1:20 P. M., on motion of Mr. Fite, the Senate took a Recess until 3 o'clock this afternoon.

AFTERNOON SESSION, THIRTY-FIRST DAY

Wednesday, July 13th, 1927.

The Senate re-assembled at 3 P. M., Lieutenant Governor Davis presiding.

ROLL CALL

On a call of the Roll of the Senate, the following members answered to their names, a quorum of the Senate:

Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Mitchell	Walker
Cowan	Holmes	Moore	Walton
Craft	Jack	Nixon	Warren
Edgar	Jackson	Nolen	Young

—32

UNFINISHED BUSINESS

The Senate proceeded to consider the unfinished business of the morning session, which was the bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

And the amendment offered thereto by Mr. Ellis of Shelby, which amendment was set out at length in the Jouprnal of yesterday's session.

Mr. Walker offered the following amendment to the Amendment of Mr. Ellis of Shelby to-wit:

Amend the Amendment to House Bill 359:

By striking out the words and figures "two and one-half (2½) percent" where they appear in Section 2-B of the Amendment and by inserting in lieu thereof the words and figures "one (1) per cent."

Mr. Ellis of Shelby moved to lay said amendment on the table, which motion prevailed and the amendment was tabled.

Yeas, 19; Nays, 7.

Yeas:
Messrs:

Brown	Ellis of Shelby	Justice	Nolen	
Caffey	Hall	Loflin	Stanley	
Cowan	Holmes	Mitchell	Stokes	
Craft	James	Moore	Young	
Edgar	Jones	Nixon		—19

Nays:
Messrs:

Bonner	Ellis of Dallas	Jack	Walker	
Carlton	Fite	Teasley		—7

Mr. Ellis of Shelby offered the following amendment to the amendment to-wit:

Amend the Amendment to House Bill 359 by striking therefrom the sentence, "The license or privilege tax herein levied is in lieu of all other licenses or privilege taxes now levied by law, whether in this Act or otherwise" where it appears at the end of the Paragraph in Subsections 2-A, 2-B and 2-C.

Which was adopted.

Yeas, 20; Nays, 2.

Yeas:
Messrs.:

Brown	Ellis of Shelby	Jones	Nixon	
Caffey	Fite	Justice	Nolen	
Cowan	Hall	Loflin	Stanley	
Craft	Holmes	Mitchell	Stokes	
Edgar	James	Moore	Young	
				—20

Nays:—Messrs. Ellis of Dallas, Jack—2.

Mr. Ellis of Shelby also offered the following amendment to the amendment.

Amend Section 2-J by adding at the end thereof the following:

No county shall levy a privilege or license tax on any business or occupations on which a privilege or license tax is levied in this section or any subdivision thereof.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Brown	Ellis of Shelby	James	Stanley
Caffey	Fite	Jones	Stokes
Cowan	Hall	Justice	Teasley
Craft	Hines	Loflin	Thompson
Edgar	Holmes	Mitchell	Walker
Ellis of Dallas	Jack	Nolen	Young

—24

Nays:—None.

Mr. Fite offered the following amendment to the amendment to-wit:

Amend Subsection 2-F of the Substitute offered for Section 2 by striking out the words "4½ cents per ton" where they appear therein and inserting in lieu thereof the words "three cents per ton."

Which was, on motion of Mr. Ellis of Shelby, laid upon the table.

Yeas, 17; Nays, 11.

Yeas:
Messrs:

Brown	Holmes	Loflin	Stanley
Caffey	James	Mitchell	Stokes
Craft	Jones	Nixon	Thompson
Ellis of Shelby	Justice	Nolen	Young
Hall			

—17

Nays:
Messrs.:

Bonner	Edgar	Hines	Walker
Bradford	Ellis of Dallas	Jones	Walton
Carlton	Fite	Teasley	

—11

PAIR ANNOUNCED

Mr. Cowan announced that he and Mr. Williams were paired on this vote; that Mr. Williams, if present, would vote nay and he, Mr. Cowan, would vote yea.

Mr. Teasley offered the following amendment to the amendment to-wit:

Amend amendment to Section Two (2) of House Bill No. 359 by striking out Section 2-J.

Which was, on motion of Mr. Ellis of Shelby, laid upon the table.

Yeas, 22; Nays, 5.

Yeas:
Messrs.:

Brown	Hall	Justice	Nolen
Caffey	Hines	Loflin	Stanley
Craft	Holmes	Mitchell	Thompson
Edgar	Jack	Moore	Walker
Ellis of Dallas	James	Nixon	Young
Ellis of Shelby	Jones		—22

Nays:
Messrs:

Bonner	Fite	Stokes	Teasley
Bradford			—5

PAIR ANNOUNCED

Mr. Cowan announced that he and Mr. Williams were paired on this vote; that Mr. Williams, if present, would vote nay, and he, Mr. Cowan, would vote yea.

Mr. Teasley also offered the following amendment to the amendment to-wit:

Amend Section F of Section eighteen (18) of Amendment to said bill by adding after the word "city" in line Eleven (11) of the printed amendment the following words: "Provided that the tax assessors and collectors of all counties which now have not less than seventy-five thousand inhabitants or over ninety thousand inhabitants, according to the last Federal Census or any such census hereafter taken, shall each receive a commission of 5% of the amount of city taxes collected, which shall be in addition to any salary now received by them."

Which was adopted.

Yeas, 29; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Mitchell	Walker
Cowan	Holmes	Moore	Walton
Craft	Jack	Nolen	Young
Edgar			—29

Nays:—None.

And the amendment offered by Mr. Ellis of Shelby, as thus amended, was then adopted.

Yeas, 23; Nays, 6.

Yeas:				
Messrs:				
Bradford	Ellis of Shelby	Justice	Stanley	
Brown	Hall	Loflin	Stokes	
Caffey	Holmes	Mitchell	Thompson	
Cowan	Jackson	Moore	Walton	
Craft	James	Nixon	Young	
Edgar	Jones	Nolen		—23
Nays:				
Messrs:				
Bonner	Ellis of Dallas	Teasley	Walker	
Carlton	Jack			—6

Mr. Mitchell offered the following amendment to said bill as amended:

Amend Section 43 of H. B. 359 so that Section 43 thereof shall read as follows:

Section 43. Corporation Permit. Every domestic corporation organized under or by authority of the laws of the State of Alabama, in addition to other license and privilege taxes required to be paid by law, and for the purpose of registration and to prevent the duplication of names and in order to secure for the public record, for taxation, and for other purposes, the names and addresses of the said corporations and individual officers thereof, shall be required to procure from the Secretary of State when it is authorized by law to do business and annually thereafter, a permit which permit shall be prepared by and countersigned by the State Auditor, and shall be delivered by the State Auditor to the Secretary of State in a well bound book with the stub and blanks therein showing the date thereof, the names of the corporations and when issued, and the character of business engaged in by said corporation. The issuance of such permit to any such corporation shall be prima facie evidence of its having complied with all the laws required of it before engaging in business in this State. For all such permits said corporation shall, when authorized to do business as a corporation, and annually thereafter, on or before the first day of February of every year, pay to the Secretary of State a fee of Ten Dollars ($10.00) per annum, or for a part of a year, if the paid capital stock of such corporation is less than Twenty-five Thousand Dollars; if more than Twenty-five Thousand, and not over Fifty Thousand Dollars, it shall pay the sum of Twenty Dollars ($20.00); if the paid capital stock is in excess of Fifty Thousand, but not in excess of One Hundred Thousand Dollars a fee of Thirty Dollars ($30.00) shall be paid; if the capital stock is in excess of One Hundred Thousand Dollars and not in excess of One Hundred Fifty Thousand, the fee shall be Fifty Dollars ($50.00); if the paid capital stock is in excess of One Hundred

Fifty Thousand Dollars, the fee shall be One Hundred Dollars ($100.00). The Secretary of State shall keep a full and complete account of all moneys received by him for and on account of such permit, and shall pay the same into the State Treasury as all other moneys collected or received by him are paid into the State Treasury. The Secretary of State shall send a statement monthly to the State Tax Commission of all fees paid hereunder. If any corporation fails or refuses to take out the permit herein provided for within thirty days after the first day of January such corporation shall be required to pay a penalty of Five Dolars ($5.0) per day for each day's delinquency; provided further, that, for good cause, the State Tax Commission may relieve any domestic corporation of all or any part of the penalty imposed herein. Application for said permit shall be made by said corporation as provided by law, giving the name and address of said corporation; its principal place of business where organized, its principal place of business in Alabama; its agent upon whom process can be served, his address and the names of the President and Secretary of said corporation.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	James	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Brown	Fite	Justice	Teasley
Caffey	Hall	Loflin	Walker
Carlton	Hines	Mitchell	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Young
Edgar	Jackson		

—30

Nays:—None.

Mr. Ellis of Shelby offered the following amendment to said bill as amended to-wit:

Amend House Bill 359 as follows:

By striking out Section 45 and inserting in lieu thereof the following:

"Section 45. Any owner of any securities enumerated in the preceding section may, as of the first day of October, 1927, and thereafter as to securities subsequently acquired from time to time as of the first day of October next, following the date of acquisition, record the fact of his ownership thereof in the office of the State Tax Commission of Alabama by filing for record in said office alist of these securities held by such owner, stating the name and address of such owner, duly verified by affidavit stating the fact of such holding and sworn to by such own-

er. Any such list shall state the names of the corporations or government which issued the respective securties listed, shall describe the nature of each security listed, shall state the number and amount of each class of securities described and shall identify the same by the serial number appearing thereon. Such record of ownership may be made for any owner by any broker, agent or representive without listing or disclosing the name of the beneficial owner of any securities."

By striking out Section 46 and inserting in lieu thereof the following:

"Section 46. The State Tax Commission of Alabama shall procure large and well bound books in which must be recorded in a fair hand or in typewriting, word for word, any such list of securities duly verified as aforesaid and at the foot of the margin of such record of each such list, the day of the month and year of the delivery of the same for record, must be specified. Said books shall be alphabetically indexed both as to the names of the owners of the parties filing such lists and the names and serial numbers of the securities covered by such recorded lists. The State Tax Commission, upon making the record of any such list of securities, shall certify on the same when it was received and recorded and in what book and page the same is recorded, and shall deliver the original of such list so certified to the party entitled thereto, or his order, on the payment of the fees for recording the same, but the secretary may refuse to endorse "filed" on any such list of securities or to record the same until his fees for the recording thereof are paid, and shall make such rules and regulations as it deems necessary to carry out the provisions of this Act."

By striking out Section 50 and inserting in lieu thereof the following:

"Section 50. The recording in the office of the State Tax Commission of any such list of securities shall operate as a notice of the contents of such list of securities and the claim of ownership of the securities therein listed from the day of the filing of the same for record to all persons and parties in the State of Alabama whomsoever, except only purchasers and pledges for value in the ordinary course of business, until such time as such ownership may cease by legal transfer and delivery to some other party by the owner by or on whose account such list has been filed for record."

Which was adopted.

Yeas, 28; Nays, 0.

Yeas:

Messrs:

Bonner	Brown	Carlton	Craft
Bradford	Caffey	Cowan	Edgar

Ellis of Dallas	Jackson	Mitchell	Teasley
Ellis of Shelby	James	Nixon	Walker
Hall	Jones	Nolen	Walton
Hines	Justice	Stanley	Warren
Holmes	Loflin	Stokes	Young

Nays:—None. —28

Mr. Stokes offered the following amendment to said bill as amended, to-wit:

Amend H. B. 359 by adding thereto:

SECTION 18 1-2. Agents or Dealers in Automobiles. Upon each and every agent of and dealer in, and upon every person soliciting orders for the sale or purchase of automobiles, motor cars or other self propelling vehicles, except motorcycles, and except any person regularly employed by a said agent of or dealer in, which said agent of or dealer in has paid the privilege tax or license herein provided for, the following privilege tax or license shall be collected, to-wit: In each county having a population of twenty thousand people or less, twenty-five dollars; in each county having a population of more than twenty thousand and less than forty thousand inhabitants, fifty dollars; in each county having a population of forty thousand and less than sixty thousand inhabitants, seventy-five dollars; in each county having a population of sixty thousand and less than one hundred thousand inhabitants, one hundred dollars; in each county having a population of one hundred thousand inhabitants or more, one hundred and twenty-five dollars. Schedule 10 of Section 361 of an Act to Provide for the General Revenue of Alabama, approved Sept. 15, 1919, is hereby repealed.

Which was adopted.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Ellis of Shelby	Justice	Stokes
Brown	Hall	Loflin	Teasley
Caffey	Hines	Mitchell	Walker
Cowan	Holmes	Moore	Walton
Craft	Jackson	Nixon	Warren
Edgar	James	Nolen	Young

Nays:—None. —28

Mr. Teasley offered the following amendment to said bill as amended:

Amend House Bill No. 359 by striking out section Twenty-five (25) of said bill.

Which was, on motion of Mr. Fite, laid upon the table.

Yeas, 22; Nays, 2.

Yeas:
Messrs.:

Brown	Fite	Jones	Nolen	
Caffey	Hall	Justice	Stokes	
Carlton	Hines	Loflin	Walker	
Cowan	Holmes	Mitchell	Warren	
Ellis of Dallas	Jackson	Moore	Young	
Ellis of Shelby	James			—22

Nays:
Messrs.:

Bradford	Teasley		—2

Mr. Teasley also offered the following amendment to said bill as amended:

Amend Section twenty-five (25) of said bill by adding at the end of said Section the following: "Provided further that all tax-payers in returning real estate for taxation shall be allowed a deduction of the amount of any mortgage indebtedness which is a lien upon the said real estate and the residue of value after deduction of said mortgage indebtedness only shall be subject to taxation.

Which was, on motion of Mr. Ellis of Shelby, laid upon the table.

Yeas, 23; Nays, 3.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jackson	Moore	
Brown	Fite	James	Nolen	
Caffey	Hall	Jones	Stokes	
Carlton	Hines	Justice	Walker	
Cowan	Holmes	Loflin	Young	
Ellis of Dallas	Jack	Mitchell		—23

Nays:
Messrs:

Craft	Teasley	Warren	—3

Mr. Teasley also offered the following amendment to said bill as amended:

Amend Section 53 of House Bill 359 by adding at the end of said section the following: "The revenue, or so much thereof as is necessary, derived from this section is hereby appropriated to the State Board of Education to be used to furnish free text books for children attending public schools in the State of Alabama under rules and regulations of the State Board of Education."

Which was, on motion of Mr. Walker, laid upon the table.

Yeas, 25; Nays, 1.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jack	Nolen
Brown	Ellis of Shelby	James	Stanley
Caffey	Fite	Jones	Stokes
Carlton	Hall	Justice	Walker
Cowan	Hines	Loflin	Warren
Craft	Holmes	Mitchell	Young
Edgar			

—25

Nay:—Mr. Teasley—1.

Mr. Nixon offered the following amendment to said bill as amended:

Section 12½. Chiropractors, Osteopaths—Each person engaged in the practice of Chiropractic or osteopathy in cities or towns of over Five Thousand inhabitants pay an annual license of Twenty-Five Dollars ($25.00); in cities or town of less than Five Thousand and more than One Thousand inhabitants, Ten Dollars ($10.00); in all other incorporated towns, Five Dollars ($5.00), but no license shall be paid to the county. If such business is conducted as a firm or as a corporation in which more than one chiropractor or osteopath is engaged, each chiropractor or osteopath so engaged shall pay the license as above stated, provided that the license imposed by this Section shall not apply until such Chiropractor or Osteopath shall have practiced his or her profession as long as two years.

Which was, on motion of Mr. Justice, laid upon the table.

Yeas, 17; Nays, 4.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jack	Mitchell
Caffey	Fite	James	Nolen
Carlton	Hines	Justice	Walker
Cowan	Holmes	Loflin	Young
Edgar			

—17

Nays:
Messrs:

Bradford	Nixon	Walton	Warren

—4

Mr. Fite offered the following amendment to said bill as amended, to-wit:

Amend House Bill No. 359 by striking out Section 24 and inserting in lieu thereof the following:

Section 24. Electric Public Utilities. Each person, firm or corporation operating an electric public utility shall pay to the

State a license tax equal to four mills of each dollar of gross receipts of such public utility for the preceding year from the sale of electric energy produced by such electric public utility. This license shall not apply to receipts from resale of electric energy purchased by one electric public utility from another electric utility whether such purchased energy be transformed or not by the purchasing electric public utility. For the first year's business where an existing electric public utility is taken over such license tax payable to the State shall be equal to four mills on each dollar of the gross receipts for the preceding year of the electric utility taken over, less whatever sum the prior operators shall have paid as such license tax on the gross receipts for that year. Where no existing electric public utility is taken over, the license tax for the first year upon such utility shall be based upon the first year's business, but shall in no event be less than one hundred dollars ($100.00), for the first year's business. Any person, firm or corporation establishing a new electric public utility shall pay to the State the sum of one hundred dollars, ($100.00), and shall also at the same time execute a bond payable to the State of Alabama to insure payment of whatever sum in addition to such one hundred dollars may be due when, at the end of the first year, the amount of gross receipts for that year is ascertainable. Such license tax shall be paid to the Probate Judge of the County where such electric public utility has its principal office as designated by its charter, and the application for such license shall be accompanied by a statement by the President or manager of the public utility or by the owner thereof, giving the name of the person, firm or corporation, owning and operating such public utility and the principal place of business thereof, together with a statement under oath of the amount of gross reecipts of such public utility for the preceding years. The books of every person, firm or corporation, operating such public utility shall be at all times open to the inspection of the State Tax Commission. Any person failing to make such sworn statement or wilfully making a false statement of the gross receipts of such public utility shall be guilty of a misdemeanor, and upon conviction therefor, shall the fined not exceeding Five Hundred Dollars, ($500.00), and shall also forfeit to the State three times the amount of the license for such public utility; but no license under this schedule shall be paid to the county or counties. The foregoing license tax shall be two mills on each dollar of gross receipts after December 31, 1931.

Which was, on motion of Mr. Ellis of Shelby, laid on the table.

Yeas, 19; Nays, 7.

Yeas:
Messrs:

Brown	Ellis of Shelby	Justice	Stanley	
Caffey	Hall	Loflin	Thompson	
Cowan	Holmes	Mitchell	Warren	
Craft	James	Moore	Young	
Edgar	Jones	Nolen		—19

Nays:
Messrs:

Bonner	Carlton	Fite	Walker	
Bradford	Ellis of Dallas	Jack		—7

Mr. Ellis of Shelby offered the following amendment to said bill as amended.

Amend Sec. 7½ of H. 359 as amended by adding the following at the end thereof:

Provided that the provisions of this section shall not apply to any person engaged in selling farm products or produce raised by himself nor shall they apply to any merchant having a regular place of business in Alabama and who pays license as such merchant.

Which was adopted.

Yeas, 30; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley	
Bradford	Ellis of Shelby	Justice	Stokes	
Brown	Fite	Loflin	Thompson	
Caffey	Hall	Mitchell	Walker	
Carlton	Hines	Moore	Walton	
Cowan	Holmes	Nixon	Warren	
Craft	Jack	Nolen	Young	
Edgar	James			—30

Nays:—None.

And said bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

As thus amended, was then read a third time at length and passed.

Yeas, 21; Nays, 4.

Yeas:
Messrs:

Brown	Hines	Loflin	Thompson	
Caffey	Holmes	Mitchell	Walker	
Craft	James	Nixon	Walton	
Edgar	Jones	Nolen	Warren	
Ellis of Shelby	Justice	Stokes	Young	
Hall				—21

Nays:
Messrs:

Carlton	Fite	Jack	Teasley

—4

PAIRS ANNOUNCED

Mr. Bonner announced that he and Mr. Moore were paired on this vote; that Mr. Moore, if present, would vote yea, and he, Mr. Bonner would vote Nay.

Mr. Cowan announced that he and Mr. Williams were paired on this vote; that Mr. Williams, if present, would vote nay and he, Mr. Cowan, would vote yea.

Mr. Ellis of Dallas announced that he and Mr. Stanley were paired on this vote; that Mr. Stanley, if present would vote yea, and he, Mr. Ellis of Dallas, would vote nay.

MOTION TO RECONSIDER VOTE

Mr. Ellis of Shelby moved that the vote by which the Senate just passed the bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

As amended, be re-considered.

Mr. Fite moved that the motion of Mr. Ellis of Shelby be laid upon the table, which motion prevailed and the motion of Mr. Ellis of Shelby was laid on the table.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported the following Senate Resolution:

S. R. 61. Be it Resolved by the Senate when we do adjourn today, we stand adjourned until Thursday, 14th of July, at 2 P. M.

And on motion of Mr. Brown, said report was concurred in and the resolution, was adopted.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 31st legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 31st legislative day was approved by the Senate.

ADJOURNMENT

At 7 P. M., on motion of Mr. Fite, the Senate adjourned until 2 o'clock tomorrow afternoon.

THIRTY-SECOND DAY

Thursday, July 14th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

The session was opened with prayer by Rev. Dr. Jenkins Doorkeeper of the Senate.

ROLL CALL

On a call of the roll, the following Senators answered to their names, a quorum of the Senate.

Messrs:				
Bonner	Ellis of Dallas	Jones	Stokes	
Bradford	Ellis of Shelby	Justice	Teasley	
Brown	Hall	Loflin	Thompson	
Caffey	Hines	Mitchell	Walker	
Carlton	Holmes	Nixon	Walton	
Cowan	Jack	Nolen	Warren	
Craft	Jackson	Oliver	Young	
Edgar	James	Stanley		—31

JOURNAL

On motion of Mr. Walton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Young:

S. 380. To fix the terms of the members of the Board of Control or the Board of Trustees of the Alabama School of Trades and Industries and to create an advisory council for the said school.

Education.

By Mr. Teasley:

S. 381. To fix the compensation of the Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety five thousand people according to the last United States Census, or any such census which may hereafter be taken.

Judiciary.

By Mr. Jones:

S. 382. To build up industries and promate the use of hydro-electric power in the State of Alabama, and to authorize and require tax collectors in the various Counties to credit upon the amount ad valorem taxes due the state by industries using hydro-electric power as a motive power a sum equal to 2-5 of a mill on the number of kilowatt hours of hydro-electric power used as motive power during the preceding year.

Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Bonner, Acting Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Williams (With Amendment):

S. 364. To prevent any person or persons from appearing in any public place or within the curtilege of any private residence, not his own in mask or with his or their face covered in part or in whole so as to prevent or make difficult his or their identity and to make it a felony to commit an assault, assault and battery, engage in an affray or violate any criminal statute while so disguised, and to provide punishments for the violations of the provisions hereof.

By Mr. Teasley:

S. 340. To fix the salary of judges of probate in all counties in this State which now have, or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said judges of probate and the manner

of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such judges of probate, and to provide for an election clerk to be appointed by said judges of probate, who shall also be ex-officio clerk of the board of registrars in said counties, define his duties and fix his compensation; and to require all of said judges of probate to pay into the county treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said judges of probate as other moneys belonging to said counties are paid.

By Mr. Teasley:

S. 341. To amend an Act entitled "An Act to amend the title, and Sections one, four, six, seven, eight, nine, eighteen, twenty-seven, thirty and thirty-three of an Act entitled: 'An Act to regulate inferior courts or courts of common pleas, or by whatsoever name the same is known and called, in cities having as many as thirty-five thousand and less than fifty thousand population, according to the last or any subsequent Federal census; to provide and define the jurisdiction and powers of such courts; to provide for the judges and officers of such courts, and their powers, duties and compensation and to fix the fees and costs for such courts; to provide the rules of procedure for such courts; and for the operation thereof, and to provide for registering, and a lien for its judgments; and to abolish justices of the peace in such cities', approved February 19, 1919, found in the General Acts of Alabama, 1919, pages 155 to 163, inclusive" approved September 7th, 1923, found in the General Acts of Alabama, 1923, pages 251 to 255, inclusive.

By Mr. Teasley:

S. 350. To further define robbery and to provide penalties therefor.

By Mr. Craft (With Substitute):

S. 173. To encourage the reclamation and improvement of tidal, marsh and submerged lands by riparian owners, whose land abuts upon tidal waters of the State, and providing for the grant of the necessary title by the State of Alabama to that end.

By Mr. Teasley (With Amendment):

S. 318. To amend section 4928 of the Code of Alabama.

By Mr. Teasley:

S. 316. To amend Section 5695 of the Code of Alabama, 1923.

By Mr. Teasley:

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

By Mr. Miller (Sumter) (with N. & P.):

H. 612. To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

By Mr. Jones (Cleburne) (With N. & P.):

H. 390. To prescribe the duties and fix the compensation of the Deputy Solicitor for Cleburne County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

Mr. Walker, Chairman of the Standing Committee on Corporations reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Long (With Amendment):

H. 341. To amend the incorporation laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or conecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; and to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carlton (Notice and Proof):

S. 371. To amend sections 6, 8, and 11 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

By Mr. Teasley:

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of eight hundred dollars out of the general funds of the county, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

By Mr. Stanley (With N. & P.) :

S. 370. To establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board, to provide for the election of the members of said Board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and clerk thereof, and to provide for their compensation.

By Mr. Carlton (With N. & P.) :

S. 372. To further amend an Act of the legislature of Alabama entitled "An Act to establish a Board of Revenue for said County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

By Mr. Beebe (With N. & P.) :

H. 642. To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama. relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of $55,000.00 for the purpose of constructing a highway in said County with bridges and ferries in conjunction with Mobile County, and all proceedings of said Court of County Commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

By Mr. Williams (With N. & P.) :

S. 365. To authorize the Court of County Revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County.

By Mr. Jones (With N. & P.) :

S. 369. To amend an act entitled an act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; and to

authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, Woco-Pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of Public Roads; providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this act; providing for the appointment, nomination and election of said Board of Commissioners, approved September 20th, 1923, by amending Sections 7 and 8.

By Mr. Beebe (With notice and proof):

H. 326: To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said County in lieu of the Court of County Commissioners to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the County of Baldwin into four Board of Revenue Districts; to provide a clerk and assistant clerk for the said Board of Revenue and to fix their duties and compensation and to provide for a County Engineer as Superintendent of Roads and to repeal all laws in conflict with the provisions of this act.

By Mr. Goodwyn (With Substitute):

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the courts of county commissioners, boards of revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

By Mr. St. John (With N. & P.):

H. 553. To amend Sec. 3 of an Act to provide for the establishing, constructing and maintaining of public roads and

bridges in Cullman County, Alabama, creating a Highway Commission for said County, and defining its powers, jurisdiction and duties.

By Mr. Stewart (Bibb) (With N. & P.):

H. 417. To provide for the establishment, change and discontinuance of public roads in Bibb County, Alabama.

By Mr. Shepherd:

H. 303. To repeal an act entitled "An Act to provide for a clerk to the Tax Assessor in Counties having more than 37000 population and less than 37400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

By Mr. Powell (With N. & P.):

H. 325. To repeal an act entitled "An Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24 25 and 38 of an act entitled an act to better provide for establishing working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903.

By Mr. Miller (Sumter) (With N. & P.):

H. 706. To amend An Act to amend an Act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said County, approved February 22nd, 1919, which act was approved November 1st, 1921.

By Mr. Miller (With N. & P.):

H. 331. To amend an act to establish a Board of Revenue for Sumter County and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

By Mr. Baldwin (With N. & P.):

H. 348. To relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

By Mr. Sanderson:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal Census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the state, to provide for their custody, discipline, supervision,

care, protection, guardianship, and welfare; to create and establish in such counties Juvenile and Domestic Relations Courts and to provide for ther equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an Advisory Board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

Mr. Thompson, Chairman of the Standing Committee on Privileges and Elections reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hines:

S. 300. To validate and legalize election heretofore held under the provisions of an Act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30)

cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities and under the provisions of Article 12 of an Act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc.," or any amendments thereto, or any subsequent Acts of the Legislature relating to special school tax elections.

By Mr. Teasley (With Amendment):

S. 297. To amend Sections 677, 678, 680, 681, 682, 683 Code of Alabama, 1923.

By Mr. Teasley (With amendment):

S. 298. To amend Sections 405, 406, 408, 409, 410, of the Code of Alabama, 1923.

ADVERSE REPORT

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with an Adverse report, and placed on the adverse calendar, to-wit:

By Mr. Cannon (With N. & P.):

H. 423. To create the office of County Treasurer for Fayette County, prescribe his duties, fix his salary and provide a method of election to said office.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Poole:

H. 391. To provide a general system of legislation pertaining to public roads, highways and bridges, including therein the establishment of a State Highway Department and State Highway Commission; to create the office of Alabama Highway Director in Alabama; to define and regulate the powers, duties and authority of the State Highway Commission and of local authorities, boards of revenue, courts of county commissioners, municipalities, or like governing bodies; to provide authority and empower the Board of Administration to make agreements

and contracts with the State Highway Commission for convict labor and let contracts for signs, advertising etc. on highways; to define and provide rules of the road, including traffic regulations, penalt violations, duties of owners and drivers and the regulation as to size, weight and equipment of motor vehicles moving over, along or upon such roads; to regulate motor busses and trucks, carrying persons or freight for hire, including the power, authority and duties of the Alabama Public Service Commission, in the matter of such regulation and providing penal offenses concerning the matter of such regulation; to provide for the establishment, discontinuance, working and maintenance of public roads, bridges and ferries; to provide for the establishment and maintenance of private roads; to provide for State Bonds for construction and maintenance of private roads, issue and sale of; Good Roads Day established; offenses concerning toll bridges, turnpikes and causeways; protecting bridges from floating logs and to provide against injury to mill dams, bridges, canals and road gates; to provide for working of public roads, persons liable and persons exempt from road duty; to provide for railroad tracks, bridges viaducts and tunnels; and the repeal of all laws and parts of laws in conflict with the provisions of this act and to repeal all laws and parts of laws concerning public roads, highways and bridges, not embodied in this act, except such laws pertaining to revenue.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE AND ORDER TO PRINT

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 391. To the Committee on Finance and Taxation.

And on motion of Mr. Ellis of Dallas, five hundred copies of said bill were ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the Bill:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

By Mr. Edwards:

H. 129. To provide for the election of a county superintendent of education for Choctaw County, Alabama, to fix his term of office, to prescribe his salary and the manner of payment, to provide for his giving bond, to define his qualifications, powers and duties and to provide for appointment or election of his successor in office.

Also:

By Mr. Hollis:

H. 220. (With amendment) To promote the public health, convenience and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands of the State of Alabama; to provide for the establishment of levee or drainage districts and sub-districts thereof, for the purpose of enlarging or changing any natural water-courses and for digging ditches or canals for securing better drainage or providing better outlets for drainage; to provide for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; to define offenses against drainage districts and providing penalties therefor; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for the assessment and collection of the costs and expenses of installing drainage systems and issuing and selling bonds therefor, and for the care and maintenance of such improvements when constructed, not in excess of the increased value of such property by reason of the special benefits derived from such improvements; to confirm and validate proceedings had (prior to the approval of this Act) and bonds issued under the provisions of the Drainage Act approved March 4, 1915; and to continue the pending processes had under the Act approved March 4, 1915 by conforming them to the processes and proceedings prescribed by provisions therefor made in this Act.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the

Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

H. 585. To make appropriation of three hundred thousand ($300,000.00) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

Was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Loflin	Teasley
Brown	Hall	Nixon	Walker
Carlton	Hines	Nolen	Walton
Cowan	Jack	Oliver	Warren
Craft	Jackson	Stanley	Young
Edgar	James		

—26

Nays:—None.

The Bill:

H. 349. To provide for the election of a County Superintendent of Education for Covington County, Alabama, by the qualified electors thereof; to fix such officer's term of office, his salary; to provide for said officer's entering into bond and the amount thereof; to prescribe his duties and powers and to provide penalties for failure to perform said duties, and to fix his qualifications and to repeal all laws in conflict with said Act.

Was, on motion of Mr. Teasley, indefinitely postponed.

Yeas, 26; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Hall	Loflin	Teasley
Brown	Hines	Mitchell	Walker
Caffey	Jack	Nixon	Walton
Carlton	Jackson	Nolen	Warren
Cowan	James	Oliver	Young
Ellis of Dallas	Jones		

—26

Nays:—None.

The Bill:

H. 600. To amend Section 22 of an Act "to provide and create a Commission form of Municipal Government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government."

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stanley
Bradford	Ellis of Shelby	Loflin	Stokes
Brown	Hall	Mitchell	Thompson
Carlton	Holmes	Nixon	Walker
Cowan	James	Oliver	Young

—20

Nays:—None.

The Bill:

H. 458. To provide for the election of a county superintendent of Education of Randolph County, Alabama, by the qualified electors of said County, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stanley
Bradford	Hall	Loflin	Stokes
Caffey	Holmes	Mitchell	Thompson
Carlton	James	Nixon	Walker
Edgar	Jones	Oliver	Young

—20

Nays:—None.

The Bill:

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

Was read a third time at length and passed.
Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Stokes
Bradford	Holmes	Nixon	Thompson
Caffey	Jack	Nolen	Walton
Carlton	Jones	Oliver	Warren
Cowan	Justice	Stanley	Young
Edgar			

—21

Nays:—None.

The Bill:
H. 306. To prescribe the duties and fix the compensation of the deputy solicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.
Was read a third time at length and passed.
Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Stokes
Caffey	Hall	Mitchell	Teasley
Carlton	Holmes	Nixon	Thompson
Craft	James	Nolen	Walker
Edgar	Jones	Stanley	Young

—20

Nays:—None.

The Bill:
S. 334. To make it the duty of the clerk of the circuit court of Lamar County, Alabama, as ex-officio clerk of the county court, to record the proceedings and write up the minutes of the county court and to provide for compensation of the same.
Was read a third time at length and passed.
Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Craft	Hines	Nolen
Bradford	Edgar	Holmes	Stanley
Brown	Ellis of Dallas	Jack	Stokes
Caffey	Ellis of Shelby	Jackson	Teasley
Carlton	Hall	Jones	Young

—20

Nays—None.

The Bill:
S. 337. To provide for the manner of selecting the county superintendent of education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Stokes
Brown	Ellis of Shelby	Justice	Teasley
Carlton	Hall	Loflin	Walton
Cowan	Hines	Moore	Warren
Edgar	James	Stanley	Young

—20

Nays:—None.

The Bill:

H. 549. For the relief of R. P. Barnes, clerk of the inferior court of Autauga County, Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Holmes	Justice	Oliver
Carlton	Jack	Loflin	Stanley
Cowan	Jackson	Mitchell	Stokes
Craft	James	Nixon	Teasley
Ellis of Shelby	Jones	Nolen	Young

—20

Nays:—None.

The Bill:

H. 548. For the relief of D. B. Chambliss, former sheriff of Autauga County, Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Holmes	Justice	Oliver
Carlton	Jack	Loflin	Stanley
Cowan	Jackson	Mitchell	Stokes
Craft	James	Nixon	Teasley
Ellis of Shelby	Jones	Nolen	Young

—20

Nays:—None.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 32nd legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 32nd legislative day was approved by the Senate.

ADJOURNMENT

At 4 P. M., on motion of Mr. James, the Senate adjourned until 9 o'clock tomorrow morning.

THIRTY-THIRD DAY

Friday, July 15th, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Mr. Jenkins, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs.:

Bonner	Ellis of Dallas	Jackson	Stanley
Bradford	Ellis of Shelby	James	Stokes
Brown	Fite	Jones	Teasley
Caffey	Hall	Justice	Thompson
Carlton	Hines	Loflin	Walton
Cowan	Holmes	Nixon	Warren
Craft	Jack	Nolen	Young
Edgar			

—29

JOURNAL

On motion of Mr. Brown the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Young, leave of absence was granted Mr. Mitchell for today.

On motion of Mr. Brown, leave of absence was granted Mr. Oliver for today.

On motion of Mr. Ellis of Dallas, leave of absence was granted Mr. Walker for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Teasley:

S. 383. To further govern or to further regulate banks and the business of banking (other than the business of banking under the laws of the United States) in the State of Alabama: to regulate the presentation and payment of checks: to further define existing powers and authority in the Banking Department and to confer additional powers and authority on the Banking Department of Alabama to examine the Trust Departments of State Banks: to amend Section 6275 of the Code of Alabama of 1923 creating the Banking Department of Alabama.

Banking and Insurance.

By Mr. Nixon (With N. & P.):

S. 384. To create and establish the Court of Common Pleas of Calhoun county; to define its jurisdiction and powers; to make it the successor of the Anniston Inferior Court and the Calhoun County Court; to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

Judiciary.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED BILL

Notice is hereby given that a bill in the following form will be presented to the Legislature of Alabama at the 1927 session thereof, when it again convenes and that application will be made to the Legislature for the passage of such bill, to-wit:

A Bill to be Entitled An Act:

To create and establish the Court of Common Pleas of Calhoun county; to define its jurisdiction and powers; to make it the succesor of the Anniston Inferior Court and the Calhoun County Court, to provide for the transfer of the cases from the docket of the Anniston Inferior Court and the Calhoun County Court to the Court of Common Pleas of Calhoun County; to provide for the officers of said court, their powers, duties and compensation; to prescribe rules of procedure for said court; and to provide for the execution of the process of said court and the operation thereof.

Be it Enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established in and for the County of Calhoun, State of Alabama, a court, which shall be known as and called "Court of Common Pleas of Calhoun County." which said court is hereby invested with and shall have and exercise in said County final jur-

isdiction of any misdemeanor committed in said county, concurrent in such misdemeanor cases with the jurisdiction now conferred by law upon the Circuit Court, except as herein otherwise provided, and said court shall have preliminary jurisdiction in all felony cases committed in the County of Calhoun that is now conferred upon the County Court and Justices of the Peace. Said court, except as in this act otherwise provided, in exercising the jurisdiction and powers by this act conferred, shall in all criminal cases conform to and be governed by the rules of practice and procedure, and shall have the same authority as now conferred by law upon the County Courts of this State; provided that the Judge of this court shall have the authority to adopt such rules of practice and procedure not inconsistent with this act as in his opinion is necessary for the proper dispatch of the business of the court. In all civil cases said court shall have and exercise in Precincts 15 and 20 of Calhoun County all the authority, jurisdiction, and powers which are now conferred by law upon Justices of the Peace, or which have been heretofore conferred upon the Anniston Inferior Court. Said Court of Common Please of Calhoun County shall as herein provided be the successor of the Calhoun County Court and the Anniston Inferior Court, which said Calhoun County Court and Anniston Inferior Court shall cease to exist upon the institution of the Court of Common Please of Calhoun County, and all causes pending in said courts, shall thereby be transferred to such Court of Common Pleas of Calhoun County, and the dockets, official papers and records of said courts shall be delivered to the Court of Common Pleas of Calhoun County, and shall be proceeded upon as if originally instituted in such Court of Common Pleas.

Section 2. That in addition to the foregoing, the said Court of Common Pleas shall have and exercise original jurisdiction in all "Non-support" cases arising in said County under Chapter 157, of the Code of Alabama of 1923. In exercising said jurisdiction the court shall conform to and be governed by the provisions, rules and regulations set out in said chapter.

Section 3. The Judge of the Anniston Inferior Court shall be and become the Judge of the Court of Common Pleas of Calhoun County, and shall hold such office until the expiration of his present term as Judge of the Anniston Inferior Court, and until his successor is elected and qualified. His successor shall take office on January 1st, 1931, and shall be elected by the qualified voters of Calhoun County at the general election held for State and County officers in the year 1930, and at the general election every six years thereafter. The Judge of the said Court of Common Pleas shall have been a resident of Calhoun County for at least one year next preceding his election or appointment, and shall be at least twenty-five years of age, and shall within the State of Alabama have been admitted to the practice of law. The term of office of said Judge, except as otherwise provided, shall be for a period of six years, and until his successor is elected and qualified. All vacancies in the office of judge of said court shall be filled by appointment of the Governor, and the person so appointed shall hold his office as provided by the Constitution. It shall be illegal for the judge to practice law in any manner whatever in said court, but he may practice in civil cases in the other courts of the County and State, provided that the matters are not connected in any way with the said Court of Common Pleas.

Section 4. The Judge of said court shall receive a salary of three thousand dollars per annum, payable monthly out of the County Treasury, upon his warrant drawn upon the County Treasurer. The judge of said court, before entering upon the duties of his office, shall take the oath of office, in form required by law to be taken by the Judges of the Circuit

Courts of Alabama, and may be removed from office for the causes and in the manner now provided by law for the Circuit Judges of this State.

Section 5. The Judge of said court shall give a bond in the penal sum of two thousand dollars, payable to the County of Calhoun, and conditioned to faithfully discharge the duties of his office, which said bond shall be approved by, and filed in the office of the Judge of Probate of said county, and also conditioned to pay over all money to the proper officers or persons to whom it is payable and to faithfully account for money coming into his hands by virtue of his office. The judge of said court shall be authorized to administer oaths. He shall issue all process of said court, keep a docket of the proceedings of said court, both civil and criminal, and certify all appeals and certioraries. All judgments and orders of said court shall be signed by him. The fees and costs now allowed by law in civil cases to Justices of the Peace, Constables and Sheriffs for services in the Justice of the Peace Courts shall be taxed and collected as now provided by law in each civil case. In addition thereto, the Judge in civil cases shall be authorized to collect for the use of the County in each case docketed by him a trial fee of one dollar. In all criminal cases the fees and costs now authorized by law to be taxed in the County Courts of this State including clerks' fees, except as herein stated, shall be taxed and collected in each criminal case tried or docketed in said court. The fees accruing to Sheriffs, Constables and witnesses, when collected, shall be paid direct to those entitled to receive same by the Judge of said court, and all other fees and costs he shall pay over to the County Treasury on the first Monday of each month.

Section 6. The Constable of Precinct 15 and the Sheriff of the County shall be the officers of said court, and shall execute all processes from said court and make the due return thereof, and all processes of whatever kind or nature issued out of said court shall be addressed to any lawful officer of Calhoun County. The sheriff is charged with the duty of serving all criminal processes. He shall be required to attend, in person or by deputy, on said court on the regular trial day of criminal cases, for which he shall be paid the sum of two dollars as now provided by law.

Section 7. That in the event of sickness or unavoidable absence of the Judge of said court, the Judge of the Circuit Court of Calhoun County shall appoint a special Judge to hold court during the disqualification or absence of the regular Judge. The compensation herein provided for the regular Judge shall be paid to the special Judge for the period during which he shall sit, in lieu of payment to the regular Judge. The said Circuit Judge shall be the Judge of all disqualifications or unavoidable absences of the Judge of the Court of Common Pleas, and shall in each instance certify the same, which certificate shall be spread upon the minutes or record of the Court of Common Pleas.

Section 8. It shall be the duty of the Deputy Solicitor for Calhoun County to prosecute in criminal cases in said court, and the same Solicitor's fee shall be taxed in misdemeanor cases in said court, and in the same manner, as is taxed for Circuit Soliictors in similar cases in the Circuit Courts of this State. All County Solicitor's fees, when collected, shall be paid into the County Treasury as other costs.

Section 9. It shall be the duty of the Board of Revenue of Calhoun County to provide a proper place for holding said court and to provide for the comforts and necessary accommodation therefor, and to provide said court with all necessary blanks, stationery, dockets, books, postage and other office materials that may be used and needed by said court.

Section 10. The rules now applying to the recording of judgments in the Justice of the Peace Courts, and the liens thereof, shall apply to the judgments rendered in the said Court of Common Pleas.

Section 11. The rules now governing appeals and certioraries from the Justice of the Peace Courts, except as herein stated, shall apply to appeals

and certioraries from the Court of Common Pleas hereby created. If the Judge of said Court of Common Pleas is satisfied that the applicant is unable to give bond, and is further satisfied in his discretion that an appeal shall lie, he shall grant the appeal, and certify the papers to the Circuit Court, but there shall be no supersedeas. It is further provided that all parties against whom judgments have been rendered in the Court of Common Pleas shall have ten days in which to effect appeals.

Section 12. No judgment by default shall be rendered prior to twelve o'clock noon. Upon rendition of a judgment by default the Judge of said court shall ascertain as nearly as may be the post office address of the person against whom judgment is rendered; and shall immediately mail to said person a postal card, giving such person notice that judgment was rendered against him on said date, giving the amount of judgment and costs, and the name of the parties, and further notifying said person that his right to have said judgment set aside will expire within five days. Upon application being made within five days of the rendition of said judgment, the Judge may in his discretion, for good cause shown, set aside such judgment by default.

Section 13. All process of said court where no time is otherwise fixed shall be returnable at ten a. m. of the return day.

Section 14. It shall be the duty of the Board of Revenue of Calhoun County to audit the dockets and records of the Judge of said court whenever they deem it advisable to do so. In every case where the Judge of the court fails to use proper diligence in issuing process for the collection of costs accruing to the County, such costs shall be paid by the Judge to Calhoun County, or shall be deducted from his salary as said Judge. In every case where the Constable or Sheriff has failed to collect costs accruing to the County, which could have been collected by the exercise of due diligence, said County shall have a right of action against said Constable or Sheriff and their bondsmen, for all such costs.

Section 15. There shall be no Justices of the Peace or Notaries Public with power of justice of the peace, elected or appointed for Precincts 15 and 20 of Calhoun County, and the office of Justice of the Peace for said Precincts is hereby abolished.

Section 16. Should any section or provision of this act be declared void or unconstitutional it shall not effect or destroy the validity or constitutionality of any other section or provision therein, which is not of itself void or unconstitutional.

Section 17. All laws, local or general, in conflict with the provisions of this act are, in so far as they conflict with the provisions of this act, hereby repealed.

Section 18. This act shall take effect from and after January 1st, 1928.

STATE OF ALABAMA,
County of Calhoun.

Before me, Clara B. Wright, Notary Public in and for said state and county, personally appeared Chas. S. Leyden, Business Manager of The Anniston Star, a daily newspaper published at Anniston in said state and county, who being duly sworn, deposes and says that the atached notice, relative to a proposed bill to create and establish the Court of Common Pleas of Calhoun County, was published in The Anniston Star in the issues of May 13, 20, 27 and June 3, 1927.

Chas. S. Leyden,

Sworn to and subscribed before me this the 9th day of June, 1927.

Clara B. Wright,
Notary Public.

(Seal)

By Mr. Edgar:

S. 385. To propose an amendment to the Constitution of Alabama to permit a certain section of Choctaw County to levy and collect for school purposes a tax of five mills, in addition to all taxes now authorized.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, to-wit: That the district taking in all of Choctaw County South of the Okatuppa Creek from the Tombigbee River up to the North line of Section 21, Township 11, thence West to the Mississippi state line, shall constitute a special tax district and shall have the power and right by vote of a majority of the qualified electors of such district voting at an election held for that purpose to levy and collect for public school purposes a tax of not over five mills in any one year, in addition to all other taxes now authorized by law. The election in such districts to determine whether or not such tax shall be levied shall be called, held and conducted as now provided by law for calling and conducting an election to determine whether or not the three mill district school tax shall be levied and collected, and the laws governing the handling and the expenditure of the proceeds of the five mill tax herein provided for shall be in all respects in accordance with the law governing the handling and the expenditure of the three mill district school tax.

Section 2. This amendment shall be submitted to the qualified voters of the State at the General Election to be held in 1928.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length as required by the Constitution.

RESOLUTION

The Rules Committee reported the following Senate Resolution:

S. R. 62. Be it resolved by the Senate, that door-keeper J. G. Watkins has been absent on account of sickness, that he be allowed a regular pay during this time. The Secretary of the Senate is authorized to pay Mr. Watkins his regular per diem as though he had been present.

And on motion of Mr. Brown, the rules were suspended, said report concurred in and the resolution adopted.

Yeas, 21; Nays, 0.

Yeas:
Messrs:

Bonner	Craft	Hall	Jack
Bradford	Ellis of Shelby	Hines	Jackson
Carlton	Fite	Holmes	James

Jones	Nolen	Teasley	Warren
Loflin	Stokes	Thompson	Young
Nixon			

—21

Nays:—None.

The Rules Committee also reported the following joint Resolution:

S. J. R. 63. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet on Tuesday, July 19, 1927, at 2:30 P. M.

And on motion of Mr. Brown, the rules were suspended. said report concurred in and the resolution adopted.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Fite, the further consideration of the bill:

S. 273. For the relief of Lucien W. Brown.

Was indefinitely postponed.

On motion of Mr. Craft, the further consideration of the bill:

S. 293. To provide the purpose and use of the gasoline tax by the several counties of the State, and to provide the purpose and use of the automobile license tag money received by the several counties and municipalities of the State, and to provide for the punishment of violations of this Act.

Was indefinitely postponed.

On motion of Mr. Carlton, the further consideration of the bill:

S. 192. To further prescribe the duties and fix the salary of the Court Reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

Was indefinitely postponed.

BILLS ON THIRD READING

The Bill:

H. 612. To further prescribe the duties and fix the salary of the court reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Justice	Teasley
Caffey	Hines	Nixon	Thompson
Carlton	Holmes	Nolen	Walton
Cowan	Jack	Stanley	Warren
Ellis of Shelby	Jackson	Stokes	Young

—20

Nays:—None.

The Bill:

S. 325. To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the fireman's pension and relief fund in conection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees, to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such boards as now exist under existing laws during the terms for which they have been elected, same to be trustees under this Act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said board of trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such fund of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective firemen's pension and relief funds as created and provided in this Act the respective funds and moneys and properties constituting firemen's pension and relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department,

and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act.

Was taken up.

Mr. Fite offered the following amendment to said bill to-wit:

Amend Senate Bill No. 325, by striking out in Section 9C and in section 34 the word February, and inserting in lieu thereof the word March.

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jackson	Stokes
Caffey	Hall	Justice	Teasley
Carlton	Hines	Nixon	Walton
Craft	Holmes	Nolen	Warren
Ellis of Shelby	Jack	Stanley	Young

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Jackson	Stokes
Caffey	Hall	Justice	Teasley
Carlton	Hines	Nixon	Walton
Craft	Holmes	Nolen	Warren
Ellis of Shelby	Jack	Stanley	Young

—20

Nays:—None.

The Bill:

S. 332. To regulate letting, hiring and using motor vehicles and to prevent the improper and unauthorized use of, or fraud, misrepresentation or deception by those letting or procuring such vehicles and fixing penalties for violating.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 19; Nays, 1.

Yeas:
Messrs:

Bonner	Edgar	Jack	Stanley
Bradford	Ellis of Dallas	Jackson	Thompson
Brown	Fite	James	Warren
Caffey	Hall	Loflin	Young
Craft	Holmes	Nixon	

—19

Nay:—Mr. Carlton.—1.

The Bill:

S. 173. To encourage the reclamation and improvement of tidal, marsh and submerged lands by riparian owners, whose land abut upon tidal waters of the State, and providing for the grant of the necessary title by the State of Alabama to that end.

Was taken up.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 173

A BILL

To be Entitled An Act to authorize the sale of tidal lands belonging to the State of Alabama, to riparian owners abutting on same, for the purpose of inducing such owners to improve same and on that condition.

Be it Enacted by the Legislature of Alabama:

Section 1. The riparian owners may purchase from the State those portions of such tidal lands and shore abutting on their uplands in the manner following:

Said riparian owner shall file with the State Docks Commission an application describing the land desired, accompanied by a plat and survey of same, setting forth the improvements to be made.

Upon the filing of such application, with a deposit of one hundred dollars towards the expense in connection with same, and which the Commission may require to be increased if necessary, the State Docks Commission shall publish a notice in some newspaper in the county where the land is situated in substance as follows:

NOTICE OF APPLICATION
TO PURCHASE SUBMERGED LANDS OF THE STATE

Notice is hereby given that.....has applied to improve and purchase the following submerged land and shore

(describing same) and the .....day of..... is hereby fixed for the hearing of such petition at

Such notice shall be published once a week for three successive weeks in such newspaper, and the hearing fixed for a time within ten days thereafter.

Section 2. Said Commission may, if advisable, postpone the hearing of said application from time to time, not exceeding in aggregate sixty days, and at such hearing shall have transcribed all the testimony received for, or against, such application, which shall, together with all the papers connected with such application and the Commission's recommendation, be submitted to the Governor within thirty days after said hearing.

Section 3. Should the Governor approve of such application he shall cause a patent to be issued to the applicant for the land sought, in the usual form and manner of State patents, which shall contain the provision that the same shall be valid only, if, when and to the extent that said improvements are made in accordance with the plan set forth in the application.

Section 4. Upon the completion of said improvements notice thereof shall be given to said Commission, which, if such improvements have been made in accordance with the plans set out in said application, shall issue a certificate to that effect, which when recorded in the Probate Court of the county in which the land is situated shall be conclusive evidence of the facts therein recited.

Section 5. In making such improvement and-or reclamation the applicant may pump or otherwise remove material from beneath the nearby waters.

Section 6. The main purpose of this Act is to make useful that which is useless, attractive that which is unsightly, and encourage development thereby adding to tax values and increasing the revenues of the State; but said applicant shall further pay to the State a reasonable amount for the land so granted when final certificate is issued by said Commission, receipt of said payment being acknowledged in said certificate. The Commission shall name such price in their recommendation referred to in section two, and take into consideration the expense of reclamation.

Section 7. In no case shall the grant extend the right of such riparian owner from his land out beyond any harbor line which is now, or may hereafter, be established by lawful authority of the State, or of the United States.

Section 8. This law shall take effect upon its passage and approval by the Governor.

Section 9. The patent provided for in Section three of this Act shall be void, if the improvements referred to in this Act are not completed within five years from the date of said patent.

Which was adopted.
Yeas, 23; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	James	Stanley
Bradford	Hall	Jones	Stokes
Carlton	Hines	Justice	Thompson
Craft	Holmes	Loflin	Warren
Edgar	Jack	Nixon	Young
Ellis of Shelby	Jackson	Nolen	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.
Yeas, 23; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	James	Stanley
Bradford	Hall	Jones	Stokes
Carlton	Hines	Justice	Thompson
Craft	Holmes	Loflin	Warren
Edgar	Jack	Nixon	Young
Ellis of Shelby	Jackson	Nolen	

—23

Nays:—None.

The Bill:
H. 562. For the relief of Lucien W. Brown.
Was read a third time at length and passed.
Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jackson	Stanley
Bradford	Fite	Justice	Stokes
Carlton	Hall	Loflin	Thompson
Craft	Hines	Nixon	Warren
Edgar	Jack	Nolen	Young

—20

Nays:—None.

The Bill:
H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office

of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Teasley
Carlton	Hall	Nixon	Thompson
Cowan	Hines	Nolen	Walton
Craft	Jack	Stanley	Warren
Ellis of Shelby	Jackson	Stokes	Young

—20

Nays:—None.

The Bill:

S. 340. To fix the salary of judges of probate in all counties in this State which now have, or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken and to regulate the payment of same; to provide for the selection of clerical help and other assistance to said judges of probate and the manner of fixing their compensation and paying the same, and to provide rules and regulations for the payment and conduct of such judges of probate, and to provide for an election clerk to be appointed by said judges of probate, who shall also be ex-officio clerk of the board of registrars in said counties, define his duties and fix his compensation; and to require all of said judges of probate to pay into the county treasury of said counties all costs, charges of courts, fees and commissions authorized by law to be collected by said judges of probate as other moneys belonging to said counties are paid.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	Loflin	Teasley
Caffey	Jack	Nixon	Thompson
Cowan	Jackson	Nolen	Walton
Craft	James	Stanley	Warren
Ellis of Shelby	Justice	Stokes	Young

—20

Nays:—None.

The Bill:

S. 319. To further regulate and provide for the election of circuit judges in all judicial circuits of the State of Alabama, which circuits are composed of only one county, and having not more than two judges, or which circuit may hereafter have not more than two judges.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Teasley
Carlton	Hines	Nixon	Thompson
Craft	Jack	Nolen	Walton
Ellis of Dallas	Jackson	Stanley	Warren
Ellis of Shelby	James	Stokes	Young

Nays:—None. —20

The Bill:

S. 341. To amend an act entitled "An act to amend the title, and Sections one, four, six, seven, eight, nine, eighteen, twenty-seven, thirty and thirty-three of an Act entitled: 'An Act to regulate inferior courts or courts of common pleas, or by whatsoever name the same is known and called, in cities having as many as thirty-five thousand and less than fifty thousand population, according to the last or any subsequent Federal census; provide and define the jurisdiction and powers of such courts; to provide for the judges and officers of such courts, and their powers, duties and compensation and to fix the fees and costs for such courts; to provide the rules of procedure for such courts; and for the operation thereof; and to provide for registering, and a lien for its judgments; and to abolish justices of the peace in such cities', approved February 19, 1919, found in the general acts of Alabama, 1919, pages 155 to 163, inclusive" approved September 7th, 1923, found in the general acts of Alabama, 1923, pages 251 to 255, inclusive.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Fite	Loflin	Teasley
Carlton	Hines	Nixon	Thompson
Craft	Jack	Nolen	Walton
Ellis of Dallas	Jackson	Stanley	Warren
Ellis of Shelby	James	Stokes	Young

Nays:—None. —20

The Bill:

S. 349. To require the Board of Revenue of Montgomery County to pay to Mrs. A. Coke Smith the sum of eight hundred dollars out of the general funds of the county, being balance due A. Coke Smith as clerk of the jury commission for the years 1921, 1922 and 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Fite	Loflin	Teasley
Carlton	Hines	Nixon	Thompson
Craft	Jack	Nolen	Walton
Ellis of Dallas	Jackson	Stanley	Warren
Ellis of Shelby	James	Stokes	Young

—20

Nays:—None.

The Bill:

H. 604. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this state, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation and provide for paying the same, and to provide for the payment of premium on such sheriffs and deputies bonds, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

Was taken up.

The following substitute offered by the committee on Local Legislation, to-wit:

AMENDMENT TO HOUSE BILL NO. 604.

H. 604. A bill to be entitled an act to fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 95,000 people according to

the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to impose additional duties upon said sheriffs, and to provide for deputies and other assistance to said sheriffs and the selection and appointment thereof, and the manner of fixing their compensation nad provide for paying the same, and to provide for the payment of premium on such sheriffs' and deputies' bonds, and to authorize, empower and require the Courts of County Commissioners, Board of Revenue or other Court of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books, stationery and other necessities and conveniences to the sheriffs of such counties and to provide for the payment of same.

Be it enacted by the Legislature of Alabama:

Section 1. That in all counties in this State, which now have, or which may hereafter have a populaion of 75,000 people and less than 95,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis, the sheriffs of such counties shall receive and be paid an annual salary of four thousand dollars net, in lieu of all other compensations, fees and emoluments and said sheriffs shall be allowed the sum of Nineteen thousand five hundred dollars ($19,500.00) per annum for help and assistance as follows: One deputy at twenty-four hundred dollars per annum, seven deputies at eighteen hundred dollars each per annum, nine hundred dollars per annum for an attorney; nad one guard for the county jail in said counties at twenty-one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and in addition to the above allowance the sheriffs of such counties shall be allowed from the passage and approval of this Act to the 31st day of December, 1927, the sum of Two Thousand Dollars, for other expenses and ex-officio services of said sheriffs and for his personal attendance upon each session of the Juvenile Court or Courts of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff, and the said two thousand dollars to be paid to said sheriff in equal monthly installments out of the general fund of such counties, and after the 31st day of December, 1927, said sheriffs of such counties shall be allowed the further sum of two thousand and five hundred dollars per annum for other expenses and ex-officio services of said sheriff and for his personal attendance upon each session of the Juvenile Court or Court of like jurisdiction in such counties, which attendance is hereby made obligatory upon said sheriff. The said Two thousand five hundred dollars to be paid

to the said sheriffs in equal monthly installments, out of the general fund of said counties. The selection and appointment of said deputies, guards and attorney shall be made by said sheriffs of said counties. That sheriffs of such counties shall not be allowed any additional sum for deputies, other than herein provided in this act. Provided, however, that nothing in this Act shall be considered or construed as repealing sections 6716 and 6717 of the Code of Alabama, 1923, which said sections shall remain in full force and effect.

Section 2. That in the event the bond of the sheriffs of any deputies in such counties shall be executed by a guaranty, surety, or bonding company, as surety, the amount of the annual premium to be paid to such company in consideration of such suretyship shall be paid by such counties out of the general funds of such counties.

Section 3. That in all such counties, the Courts of County Commissioners, Boards of Revenue and Courts of like jurisdiction are hereby authorized, empowered and required to provide the sheriffs in such counties with necessary quarters, books, stationery and other necessities and conveniences and pay for the same out of the general fund of such counties.

Section 4. That all compensation and salaries of said sheriffs mentioned in section one of this Act and all allowances for deputies and other assistance shall be paid out of the general fund of the several counties affected in monthly installments.

Section 5. That all of said sheriffs shall pay into the County treasury of said counties, all costs, charges of courts, fees and commissions authorized by law, or which may hereafter be authorized by law to be collected by said sheriffs as other moneys belonging to said counties are paid. The Courts of County Commissioners, Boards of Revenue and other Courts of like jurisdiction shall have the power and authority, and it shall be their duty to audit the accounts of said sheriffs for the purpose of requiring a strict compliance with the provision of this Ac.t

Section 6. That beginning with the first Monday after the second Tuesday in January, 1931, the sheriffs in all counties in this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last Federal census or any such census which may hereafter be taken, shall receive for their services the same fees, commissions, compensation and emoluments as the sheriffs in all other counties not upon a salary basis, including compensation provided under the law for feeding prisoners.

Section 7. That beginning with the first Monday after the second Tuesday in January, 1931, the sheriffs in said counties shall be allowed one guard for the county jail in said counties

at twenty-one hundred dollars per annum, one guard for the county jail in said counties at fifteen hundred dollars per annum, and in addition to allowance for guards the sheriff in such counties shall be allowed the sum of three thousand dollars per annum for ex-officio services by said sheriffs. The salary for guards and the said sum of three thousand dollars shall be payable out of the general funds of said counties, and it shall be unlawful for any Board of Fevenue, Court of County Commissioners or other Courts of like jurisdiction of said counties to make any further allowance of any kind or character to said sheriffs in addition to the above. It being the intention of this section that all sheriffs in said counties are to receive for their services only such fees, compensation, commissions and emoluments allowed by law to sheriffs of other counties not on a salary basis, and that the said sums provided for salaries for guards for the jail, and the sum of three thousand dollars for ex-officio services shall be the total charge against said counties for all purposes whatsoever.

Section 8. That all laws or parts of laws, general and local, in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. If any section, clause, provision or portion of this Act shall be held invalid or unconstitutional by any Court of competent jurisdiction such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Section 10. That this act shall take effect immediately upon its passage and approval by the Governor.

Was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Nixon	Thompson
Carlton	Hines	Nolen	Walton
Craft	Jack	Stanley	Warren
Ellis of Dallas	James	Stokes	Young

—20

Nays:—None.

And said bill, as thus amended was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Carlton	Ellis of Dallas	Fite
Brown	Craft	Ellis of Shelby	Hines

Jack	Nixon	Stokes	Walton
James	Nolen	Teasley	Warren
Loflin	Stanley	Thompson	Young

—20

Nays:—None.

The Bill:

S. 370. To establish a board of revenue for Conecuh County, in lieu of the court of county commissioners as now provided by law. To relieve the judge of probate of his duties as chairman of said court or board, to provide for the election of the members of said board and for the election of a chairman and clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said board, the chairman and clerk thereof, and to provide for their compensation.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Loflin	Teasley
Brown	Fite	Nixon	Thompson
Carlton	Hines	Nolen	Walton
Craft	Jack	Stanley	Warren
Ellis of Dallas	James	Stokes	Young

—20

Nays:—None.

MESSAGE FROM THE GOVERNOR

To The Legislature of Alabama:
Gentlemen:

I herewith return to the Senate, the body in which it originated Senate Bill No. 119 for the relief of John B. Laseter of Barbour County without my approval. I suggest the following executive amendments, which if concurred in by the Legislature will remove my objections to the Bill.

Amend the title of the Act as follows:

"A Bill to be entitled An Act to authorize the Board of Revenue of Barbour County to grant relief to John B. Laseter, former Sheriff of Barbour County as to certain claims held by him against the Fine and Forfeiture Fund of Barbour County,"

Further amend by striking from the Act the following words:

"Be it enacted, that there is hereby created a Board of Claims for said County of Barbour, to be composed of the Probate Judge of said County, the President of the Board of Revenue of said County and the County Solicitor of said County, whose duty it shall be to investigate the merits of the claims of the said John B. Laseter, and make such award on all of said claims as in honor, justice and equity should be made, and such award by such Board of Claims shall be attested by them, and shall constitute a preferred claim against the Fine and Forfeiture Fund of Barbour County. Said Board shall proceed with dispatch to a consideration and disposition on the matters committed to their consideration immediately upon this bill being approved by the Governor."

And substitute therefor the following:

"Be it enacted by the Legislature of Alabama that the Board of Revenue of Barbour County is hereby authorized and empowered to investigate the merits of the claims of the said John B. Laseter and to make such findings thereon as should be made in justice to the said John B. Laseter of Barbour County and to enter such claim upon the records of the Board of Revenue of Barbour County and if the findings is that said claims should be alowed they shall so enter it upon their records and said claim shall constitute a preferred claim against the Fine and Forfeiture Fund of Barbour County."

Respectfully,
Bibb Graves,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Jackson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 119. For the relief of John B. Laseter of Barbour County, Alabama.

Which amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jackson	Stokes
Bradford	Fite	Loflin	Thompson
Carlton	Hall	Nixon	Walton
Cowan	Holmes	Nolen	Warren
Craft	Jack	Stanley	Young

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, S. B. 119, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jackson	Stokes
Bradford	Fite	Loflin	Thompson
Carlton	Hall	Nixon	Walton
Cowan	Holmes	Nolen	Warren
Craft	Jack	Stanley	Young

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 331. To amend an Act to establish a board of revenue for Sumter County, and for the abolishment of the court of county commissioners of said county; approved February 22, 1919: and to amend an Act to amend an Act to establish a board of revenue for Sumter County, and for the abolishment of the court of county commissioners of said county, approved February 22, 1919, which Act was approved November 1, 1921.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jackson	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Hall	Nixon	Walton
Craft	Hines	Nolen	Warren
Ellis of Dallas	Jack	Stanley	Young

—20

Nays:—None.

The Bill:

S. 350. To further define robbery and to provide penalties therefor.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Holmes	Stokes
Bradford	Ellis of Dallas	Jack	Teasley
Brown	Ellis of Shelby	Jackson	Thompson
Caffey	Fite	Jones	Walton
Carlton	Hall	Loflin	Warren
Craft	Hines	Nixon	Young

—24

Nays:—None.

The Bill:

S. 318. To amend Section 4928 of the Code of Alabama.

Was taken up.

The Committee on Judiciary offered the following amendment for said bill:

Amend said bill by striking therefrom Section 2 thereof.

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Edgar	Jack	Stokes
Bradford	Ellis of Dallas	Jackson	Teasley
Brown	Hall	Jones	Thompson
Carlton	Hines	Loflin	Warren
Craft	Holmes	Nolen	Young

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 22; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Dallas	Jones	Stokes
Bradford	Ellis of Shelby	Justice	Teasley
Brown	Hall	Loflin	Thompson
Carlton	Holmes	Nixon	Warren
Craft	Jack	Nolen	Young
Edgar	Jackson		

—22

Nays:—None.

The Bill:

S. 316. To amend Section 5695 of the Code of Alabama, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 18; Nays, 0.

Yeas:
Messrs:

Bradford	Fite	James	Stokes
Brown	Hall	Jones	Teasley
Caffey	Hines	Justice	Thompson
Craft	Holmes	Nolen	Warren
Ellis of Shelby	Jack		

—18

Nays:—None.

The Bill:

S. 371. To amend sections 6, 8, and 11 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Was read a third time at length and passed and ordered sent forthwith to the House without Engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jackson	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Hall	Nixon	Walton
Cowan	Holmes	Nolen	Warren
Craft	Jack	Stanley	Young

—20

Nays:—None.

The Bill:

H. 642. To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of $55,000.00 for the purpose of constructing a highway in said county with bridges and ferries in conjunction with Mobile County and all proceedings of said court of county commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jackson	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Hines	Nixon	Walton
Cowan	Holmes	Nolen	Warren
Craft	Jack	Stanley	Young

—20

Nays:—None.

The Bill:

S. 369. To amend an Act entitled "An Act to create and establish a board of county commissioners in and for Madison County, Alabama, in the place and stead of the board of revenue of Madison County now existing in said county, and abolishing said board of revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said board of county commissioners, fixing their compensation; conferring upon said board of county commissioners all the jurisdiction, powers and authority granted by law to county commissioners, boards of revenue or other governing bodies of like name or authority in this State; and to authorize said board of county commissioners for the purpose

of maintaining the public roads, bridges and ferries of Madison County, to impose a tax on gasoline, woco-pep or other substitutes therefor sold in the county not to exceed three cents per gallon and to provide the machinery for its collection; authorizing the appointment of said board of county commissioners of a clerk, and a supervisor of public roads; providing for the holding of monthly meetings of said board of commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said board of commissioners, approved September 20th, 1923 by amending Sections 7 and 8.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	Jones	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Hines	Nixon	Walton
Cowan	Jack	Nolen	Warren
Craft	Jackson	Stanley	Young

—20

Nays:—None.

The Bill:

H. 326. To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said county in lieu of the Court of County Commissioners, to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the county of Baldwin into four board of revenue districts; to provide a clerk and assistant clerk for the said board of revenue and to fix their duties and compensation and to provide for a county engineer as superintendent of roads and to repeal all laws in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

The Bill:

H. 553. To amend Sec. 3 of an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commission for said County, and defining its powers, jurisdiction and duties.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

The Bill:

H. 303. To repeal an Act entitled an Act to provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

The Bill:

H. 325. To repeal an Act entitled An Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24 25 and 38 of an Act entitled An Act to better provide for establishing working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903."

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Craft	Fite	Jackson
Brown	Ellis of Dallas	Holmes	James
Carlton	Ellis of Shelby	Jack	Loflin

Nixon	Stanley	Thompson	Warren
Nolen	Stokes	Walton	Young

—20

Nays:—None.

The Bill:

H. 348. To relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the orignal lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Bonner	Ellis of Shelby	James	Stokes
Brown	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without Engrossment:

By Mr. Webb:

H. 647. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an Act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc.," or any amendments thereto, or any subse-

quent acts of the Legislature relating to special school tax elections.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 647 To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

By Rules Committee:

S. J. R. No. 63. Relative to the adjournment of the Two Houses today, to reconvene Tuesday, July 19th, 1927 at 2:30 P. M.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

By Mr. Bartlett:

H. 356. To establish a county court for DeKalb County Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County Alabama to the DeKalb County Court; and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County Alabama.

Said Governor's Message containing the proposed amendment being in the following words and figures, to-wit:

To The Legislature of Alabama,
Gentlemen of the House:

I am returning herewith House Bill No. 356 to the House, the body in which it originated, without my approval and I suggest certain executive amendments, which if adopted will render the Act free from objections.

Amend Section Three (3) of the Bill by striking therefrom the following words:

"And Circuit Judges may hold said court when it is deemed proper to do so and shall do so when authorized by law and the judge of the DeKalb County Court may hold the circuit Court when it is deemed proper to do so and shall do so when authorized by law."

Amend the Act further by striking from Section Five (5) thereof the following words:

"That there shal be taxed as a trial fee the sum of five dollars in each case tried in said court except in civil cases where the amount involved as shown by the complaint is less than one hundred dollars in which cases a trial tax of three dollars shall be taxed in each case; said trial tax shall be taxed and collected as a part of the cost of said fee shall be taxed not only in all cases where there is a conviction for a criminal offense, but in all cases where the prosecutor is taxed with the cost. Said trial fee in all cases shall be paid by the clerk of said court into the county treasury for the benefit of the general funds."

In my judgment these subjects are not covered by the title of the Act and if they were covered by the title of the Act would render the title of the Act duplex and hence violative of Section 45 of the Constitution of 1901.

Respectfully,
(Signed) Bibb Graves,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to said bill by a vote of a majority of the whole number elected to the House, said vote being Yeas, 85; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time, at length, and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 85, Nays, 0.

And said bill, together with the Governor's message containing the proposed amendment, is sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Bradford, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to H. B. 356, the title of which and said Governor's amendment is set out in the foregoing Message from the House.

Yeas, 20; Nays, 0.

Yeas:
Messrs.:

Bonner	Ellis of Shelby	James	Stokes
Bradford	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

And said bill, H. B. 356, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	James	Stokes
Bradford	Fite	Loflin	Thompson
Carlton	Holmes	Nixon	Walton
Craft	Jack	Nolen	Warren
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Rules Committee:

H. J. R. 93. Resolved by the House, the Senate concurring, that a Joint Committee be composed of three members from the House to be appointed by the Speaker of the House, and three members from the Senate to be appointed by the Presiding Officer of the Senate be and is hereby created and instructed to make a careful and thorough investigation of the increased income to the State under the provisions of the new Revenue Bill and make report thereof to the House and Senate at the earliest practical moment.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 93, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Mr. Craft offered the following Joint Resolution:

By Mr. Craft:

S. J. R. 64. Whereas, water transportation by reason of the great stimulus imparted in recent years to the vast river system in the forty-eight states in the Union,

And whereas, the necessity for it has become imperative, and will continue, for many years to come, will cause the people of the country to demand that the development of the water-courses shall be pushed with all vigor, in order to meet all the requirements of commerce.

And Whereas the development of hydroelectric power has imparted to the matter of making all the rivers navigable throughout the length of the years as they come and go, giving to the proposition an element of strength that is irresistable,

And whereas, the interconnection of watercourses and open bodies of water such as lakes, bays, gulfs, and the oceans with each other by the cutting of canals, wherever necessary, thus giving a system of water transportation which in length of travel will surpass many times over the combined length of all the railroads on the North American continent, as this includes both domestic and foreign trade,

And whereas, the differentials in freight rates as between water and rail, will in a brief flight of years pay the whole cost of the Grand project herein outlined.

And whereas, the maintenance of the whole system of water transportation when once completed, will require moderate expenditure annually, about one-fiftieth part of what it takes for the same length to maintain the railway system of the country.

And whereas, the Congress of the United States, on January 21, 1927, in the Rivers and Harbors Act, authorized the survey of the route for barge Line transportation from the Cumberland Sound to the Mississippi River at New Orleans.

And Whereas, the existence of navigable streams and large inland bays and lakes will greatly facilitate and lessen the cost of this project,

And whereas, the project as a whole is of a three-fold nature, that is to say, a canal conecting Mobile Bay with Pensacola Bay; conecting New Orleans with Apalachicola, Florida, and the Columbus, Georgia waterway; and canal connecting Cumberland Sound with the Mississippi River through the Industrial Canal, already in use at New Orleans.

And whereas, the Cumberland Sound Route for barge line transportation, will pursue the following route, that is to say: It will begin at Cumberland Sound, and proceed thence via the St. Mary's River in Georgia and Florida; thence through the Okefenokee Swamp in Georgia, and thence via the Sewanee River in Florida and St. George's Sound, a Government Canal, now conecting the Apalachicola River with St. Andrews' Bay, Choctawhatchee Bay, Santa Rosa Sound, Pensacola Bay, and Big Lagoon, in Florida; Perdido Bay and Mobile Bay, in Alabama; through the Mississippi Sound, Lake Ponchartrain, and the In-

dustrial Canal, Louisiana, conecting finally with the Mississippi River, at New Orleans,

And whereas, these three projects are under seaprate authorization for survey and examination,

And whereas, the route from Mobile Bay to the Cumberland Sound on the east will provide a barge line route to Baltimore New York, and other Atlantic points, while the Columbus, Georgia route, will be very beneficial to a large territory, the Pensacola to Mobile Project will develop large tonnage for the seaport at Mobile by reason of the fact, that both Mobile and New Orleans, are already in constant and intimate connection with the great inland water-system of the United States, the former, Mobile, being 31 miles from, and the latter, New Orleans, being 132 miles from the Gulf of Mexico, with Mobile Bay intervening between Mobile and the Gulf.

Therefore, be it resolved by the Senate, the House concurring, That the State of Alabama, through its Legislature, in session assembled, heartily endorses and favors the project hereinabove set forth,

Be it Further Resolved, That it is the sense of the legislature of Alabama, by the joint action of the two houses, thereof that the three projects above set forth, being in reality in Intercoastal or Inland Canal, for Barge Line transportation should be of such depth and width where necessary for canalizing to be done, which will be but infinitesimal part of the route as to such depth and width, sufficient to accommodate all traffic passing thereby.

Be it further Resolved, That the project being of such immense value to the commerce of the whole country, as to deserve, and should have the unqualified support of all the states,

Be it further Resolved, That the Legislature of Alabama puts itself on record as unqualifiedly endorsing and commending the tripartite project hereinabove outlined.

Be it Further Resolved, That the Governor of the State of Alabama, is hereby requested to transmit copies of this resolution to the President of the United States; to the members of he Senate and House of Representatives, from the State of Alabama; to the Chairman of the Rivers and Harbors Committees in both houses of Congress; to the Federal Power Commission; and to the heads of the Various Departments of the National Government,

Be it Further Resolved, that five hundred copies of this resolution be printed for the use of the Legislature

Which was read and referred to the Standing Committee on Rules.

Mr. Nixon offered the following Joint Resolution:

S. J. R. 65. Resolved by the Senate, the House concurring, That a cordial invitation be extended to Col. Lindberg to visit

the State Capital of the Greatest State in the union—"Alabama" —when he makes his Souhern tour.

That the Governor be requested to extend the invitation. Which was read and referred to the Standing Committee on Rules.

The Rules Committee reported the following Senate Joint Resolution:

S. J. R. 66. Be it Resolved by the Senate, The House Concurring, That no appropriation bills be passed until the Revenue Bill has been approved, and its contents have been gone over thoroughly as to the amount to be derived therefrom.

And on motion of Mr. Brown, said report was concurred in and the resolution adopted.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules reported that said Committee, in session, had acted on the following resolution and ordered returned to the Senate with a favorable report to-wit:

S. J. R. 65. Relative to extending an invitation to Col. Lindberg to visit the State Capital of Alabama.

And on motion of Mr. Brown, said report was concurred in and the resolution was adopted.

ORDER TO PRINT

On motion of Mr. Brown, 2500 copies of certain information pertaining to the Alabama School of Trades and Industries at Gadsden, Alabama, before the Joint Legislative Finance and Taxation Committee, March 15, 1927, were ordered printed for the use of the Senate.

On motion of Mr. Ellis of Dallas, 250 copies of the bill:

H. 341. To amend the incorporation laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

Were ordered printed for use of the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 33rd legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 33rd legislative day was approved by the Senate.

ADJOURNMENT

At 11 A. M., on motion of Mr. James, and pursuant to resolution heretofore adopted, the Senate adjourned until Tuesday, July 19, 1927, at 2:30 P. M.

THIRTY-FOURTH DAY

Tuesday, July 19, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Dr. Agnew of the Woman's College.

ROLL CALL

On a call of the roll, the following members answered to their names, a quorum of the Senate:

Messrs.:			
Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Fite	Justice	Teasley
Brown	Hall	Loflin	Thompson
Caffey	Holmes	Mitchell	Walton
Carlton	Jack	Nixon	Warren
Cowan	Jackson	Oliver	Williams
Craft	James	Stanley	Young
Ellis of Dallas			—29

JOURNAL

On motion of Mr. Carlton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Craft, leave of absence was granted Mr. Walker for today.

On motion of Mr. Thompson, leave of absence was granted Mr. Edgar for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fite (With N. & P.):

S. 386. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

Municipalities, and Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notce is hereby given that application will be made to the Legislature af Alabama for the passage of a law, the substance of which proposed law is as follows:

"AN ACT

To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered, and rearranged.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, be and the same are hereby extended, changed, altered and re-arranged so that the boundary lines and corporate limits of said Town shall embrace and include all that territory of land embraced and included in the following limits and boundaries, to-wit:

Begin at the Northeast Corner of Section 7, Township 17 South, Range 2 West, thence West along the North line of Section 7, Township 17 South, Range 2 West 2762. 75 feet to its intersection with the East boundary of the main line right of way of the Louisville & Nashville Railroad Company, thence South along said East boundary line of said right of way of Louis-

ville & Nashville Railroad Company's main line 1257 feet to the South right of way line of the County Road, thence at an angle of 81° 15′ to the left 224.3 feet, thence at an angle of 8° 36′ to the left 609.6 feet, thence with an angle of 87° 26′ to the right 1804.8 feet, thence with an angle of 24° 23′ 30″ to the right 500 feet, thence with an angle of 21° to the left 1057.6′ to an intersection with the Northwestern right of way line of the Birmingham Water Works Company's Canal, thence with an angle of 137° 28′ to the left following said Northwestern right of way 3138.37 feet to a point of curvature, thence on a 26° curve to the left through an arc of 11° 10′ a distance of 43.32 feet to a point of tangency, thence following said tangent and traversing said Northwestern right of way line 682.61 feet to a point of curvature, thence on a 26° curve to the right through an arc of 4° 55′ a distance of 19.07 feet to a point of tangency, thence following said tangent and traversing said Northwestern right of way line 466.4 feet to its intersection with the South line of the Northwest Quarter of Northwest Quarter (NW¼ of NW¼) of Section 8, Township 17, South, Range 2 West, thence 714.98 feet West along the said South line of Northwest Quarter of Northwest Quarter (NW¼ of NW¼) of Section 8, Township 17, South, Range 2 West to the East line of Section 7, Township 17, South, Range 2 West, thence with an angle of 88° 28′ to right running North along said East line of Section 7, Township 17 South Range 2 West, 1322.3 feet to the point of beginning; and also begin at the Southwest Corner of the Southeast quarter of Southwest Quarter (SE¼ of SW¼) Section 4, Township 17 South Range 2 West, thence East along the South boundary of Section 4, Township 17 South Range 2 West to the Southeast Corner of the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) said Section 4, thence North along the East boundary of said Southwest Quarter of Southeast Quarter (SW¼ of SE¼) Section 4 to the Northeast Corner of Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of said Section 4; thence West along the North boundary of the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) and Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section 4 to the Northwest Corner of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of Section 4, thence South along the West boundary of said Southeast Quarter of Southwest Quarter (SE¼ of SW¼) Section 4, to the Southwest Corner of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of Section 4, Township 17 South, Range 2 West, the point of beginning; All situated in Jefferson County, Alabama.

Section 2. That all that territory embraced within said areas described in Section 1 hereof be and the same is hereby included within and made a part of said Town of Tarrant City.

Section 3. That the boundaries and corporate limits of the said Town of Tarrant City as hereby extended, altered and re-arranged shall be and are hereby defined and established, as follows:

Beginning at the Southeast Corner of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) of Section Nine, Township 17 South Range 2 West, thence North along the East boundary of the West half of the Northwest Quarter (W½ of NW¼) of said Section 9 to the Northeast Corner of the Northwest Quarter of the Northwest Quarter (NW¼ of NW¼) of said Section 9, thence East along the South boundary of Section 4, Township 17 South Range 2 West to the Southeast Corner of the Southwest Quarter of the Southeast Quarter (SW¼ of SE¼) of said Section 4, thence North along the East boundary of said Southwest quarter of Southeast Quarter (SW¼ of SE¼) of Section 4 to the Northeast Corner of said Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of Section 4, thence West along the North boundary of the Southwest Quarter of Southeast Quarter (SW¼ of SE¼) and Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section 4 to the Northwest

Corner of the Southeast Quarter of Southwest Quarter (SE¼ of SW¼) of said Section 4, Township 17 South Range 2 West, thence North along the East Boundary of the West Quarter of Section 4, Township 17, South Range 2 West, to the Northeast Corner of the Northwest Quarter of Northwest Quarter (NW¼ of NW¼) of said Section 4; thence West along the North boundary of Section 4 and Section 5, Township 17 South, Range 2 West to its intersection with the West Bank of Five Mile Creek; thence down said Five Mile Creek along its North and West bank and following the meandering of same to its intersection with the Eastern boundary line of the Right of Way of the main line of the Louisville & Nashville Railroad Company; thence in a Southerly direction along said Eastern boundary line of the Right of Way of the Louisville & Nashville Railroad Company to its intersection with the South right of way of the County Road, at a point 1257 feet South of the North boundary of Section 7, Township 17 South, Range 2 West, thence with an angle of 81° 15′ to the left 224.3 feet; thence with an angle of 8° 36′ to the left 609.6 feet; thence with an angle of 87° 26′ to the right 1804.8 feet; thence with an angle of 24° 23′ 30″ to the right 500 feet; thence with an angle of 21° to the left 1057.6 feet to an intersection with the Northwestern right of way line of the Birmingham Water Works Company's Canal; thence with an angle of 137° 28′ to the left following said right of way line of said canal 3138.37 feet to a point of curvature; thence on a 26° curve to the left through an arc of 11° 10′ a distance of 43.32 feet to a point of tangency; thence following said tangent and traversing said right of way line 682.61 feet to a point of curvature, thence on a 26° curve to the right through an arc of 4° 55′ a distance of 19.07 feet to a point of tangency; thence following said tagent and traversing said Northwestern right of way line 466.4 feet to its intersection with the South boundary line of the Northwest Quarter of the Northwest Quarter, Section 8, Township 17 South, Range 2 West, thence East along the said South boundary line of the Northwest Quarter of the Northwest Quarter (NW¼ of NW¼) Section 8, to the Southeast Corner of the Northeast Quarter of the Northwest Quarter (NE¼ of NW¼) Section 8, Township 17, South, Range 2 West; thence South along the West boundary line of the Southwest Quarter of the Northeast Quarter, Section 8, Township 17 South, Range 2 West, to its intersection with the South line of Oak Park Addition as recorded in Books of Maps, Volume Nine (9) Page Eighty-five (85), Probate Office of Jefferson County, Alabama, thence East along said South line of said Oak Park Addition to the West line of the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼) of said Section 8; thence South along the West line of the Southeast Quarter of the Northeast Quarter of said Section 8 to the Southwest Corner of the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼) of said Section 8; thence East along the East and West center lines of Sections 8 and 9, Township 17 South, Range 2 West, to the Southeast Corner of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) of Section 9, Township 17, South of Range 2 West, the point of beginning. Situated in Jefferson County, Alabama.

Section 4. That all laws and parts of laws in conflict, or inconsistent with this act be and are hereby repealed.

Section 5. That this act shall go into effect immediately upon its approval by the Governor.

Published by order of the Town Council of the Town of Tarrant City, Alabama.

Wallace Wells, Town Clerk.

THE STATE OF ALABAMA,
Jefferson County.

Before me, Wallace Wells, a Notary Public in and for said State and County, personally appeared Chas. T. Atkinson, who being first duly sworn

doth depose and say that he is the Managing Editor of the Tarrant City Booster, a newspaper published in the Town of Tarrant City, in Jefferson County, Alabama, and that the notice hereto attached was published in said Tarrant City Booster once a week for four consecutive weeks, viz., in the issues of said paper published on the 27th day of May, 1927, 3rd day of June, 1927, 10th day of June, 1927, and 17th day of June, 1927 and that said notice was published without cost to the State of Alabama.

Chas. T. Atkinson,

Sworn to and subscribed before me this the 19th day of July, 1927.

Wallace Wells,
Notary Public.

(Seal)

Also:

S. 387. To provide for and fix the franchise tax of all corporations doing business in this State that pay a privilege or license tax based upon the percentage of gross reecipts, or a percentage of its production and/or sale.

Finance and Taxation.

Also:

S. 388. To amend section 12 of an Act entitled, An Act to provide for the organization, regulation and government of the State Bar, including admissions and disbarments of lawyers, Approved August 9th, 1923.

Judiciary.

By Mr. Ellis of Shelby:

S. 389. To propose an amendment to the Constitution of the State of Alabama authorizing the State to construct and improve public school and other educational buildings in the State of Alabama and to this end to authorize the State to issue and sell negotiable interest bearing bonds to an amount not to exceed twenty million dollars and to provide revenue and funds for the prompt and faithful payment of the principal and interest on such bonds and to order an election by the qualified electors of the State upon such proposed amendment to be held on the second Tuesday in January 1928.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment and the day hereby appointed for such election is the second Tuesday in January 1928. The proposed amendment is as follows:

Article XXI. Section 1. The state may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this state and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of Twenty Million

Dollars to be issued in such denominations, numbers, and series to mature at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereon, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of every kind. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for The University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the state, when authorized by appropriate laws passed by the Legislature. To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools, One Mill of the two and one-half mills ad valorem tax now levied by law for general purposes, is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State, for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article XXI of the Constitution of Alabama?"

Article XXI. Section 1. The State may engage in the construction and improvement of buildings for public schools and the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in this State, and to this end and for this purpose, the state is authorized to appropriate funds and also to issue and sell interest-bearing negotiable state bonds in an amount not to exceed the sum of twenty million dollars to be issued in such denominations, numbers, and series to ma-

ture at such time as may be provided for by law, but such bonds shall bear a rate of interest not greater than five per cent per annum payable semi-annually and shall be sold at a price not less than the par value thereof. Such bonds when issued shall be a direct obligation of the state and for the prompt and faithful payment of the principal and interest thereof, the full faith and credit of the state is hereby irrevocably pledged and such bonds shall be exempt forever from all taxes of all kinds. Two Hundred Thousand Dollars of the proceeds of these bonds shall be set aside and expended for the permanent construction and permanent improvement of public school buildings in each county in the state when authorized by appropriate laws passed by the legislature and the remainder of the proceeds of said bonds shall be set aside and expended for the permanent construction and permanent improvement of the school buildings for the University of Alabama, Alabama Polytechnic Institute, Alabama College, and State Normal Schools, in the State, when authorized by appropriate laws passed by the legislature.

To create a sinking fund for the prompt and faithful payment of the principal and interest of these bonds and for the construction and improvement of such public schools and said institutions named herein, one mill of the two and one-half mills ad valorem tax now levied by law for general purposes is hereby set aside as a fund to be used exclusively for said purpose until the principal and interest of said bonds shall have been paid in full. Nothing herein shall be construed as in anywise authorizing any increase in the rate of taxation now provided for by the Constitution of Alabama.

Section 4. Officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections, and the Constitutional provisions concerning amendments to the Constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by proclamation of the Governor.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Stanley:

S. 390. To amend Section 1 of An Act to amend Sections 3 and 6 of an Act entitled An Act to further provide for and regulate the payment of pensions to Confederate soldiers and sailors and their widows and to make necessary appropriations therefor, approved September 6, 1923, designated as Section 2948 and Section 2973 of the Code of Alabama, approved February 18, 1927.

Finance and Taxation.

By Mr. Holmes (With N. & P.):

S. 391. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, conecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Public Roads and Highways.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to introduce in the current session of the 1927 Legislature of Alabama a bill to authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right-of-way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise; which bill shall be in substance as follows:

A Bill to be Entitled an Act to authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, connecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point, in Escambia County, Florida; granting a right-of-way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama, to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

Be it Enacted by the Legislature of the State of Alabama:

Section 1. That the consent and authority of the State of Alabama be, and the same is hereby granted to the county commissioners, board of revenue or other governing body of Baldwin County, Alabama, by whatever name, to grant a franchise to the person, persons or corporation who will comply with the requirements of the said governing body of said County, for the construction, maintenance and operation of a toll bridge,

causeway and highway over that part of Perdido Bay which lies within the territorial limits of the State of Alabama. Said bridge to start at or near Perdido Beach, in Baldwin County, Alabama, and to connect with the mainland in Escambia County, Florida, at or near Inerarity Point, for the accomodation and service of vehicles, pedestrians and livestock, and for motor or electrically propelled public conveyances or common carriers; Provided that the franchise shall not be granted for a longer period than fifteen years and may be renewed by such governing body upon such terms as it may deem best and shall be upon such terms and conditions as the said governing body shall prescribe.

Section 2. That any person, persons or corporation constructing or operating any toll bridge, bridges, causeway or highway under the provisions of this Act, shall have the same rights, powers and privileges of eminent domain as are now exercised and enjoyed by toll bridge companies in this state as and with reference to and concerning the condemnation of public and private property for the right of way for toll bridge, causeway, ferries and highway; and such person, persons or corporation shall have the right, privilege and authority to condemn and acquire such right-of-way for the construction of its bridge, bridges, causeway and highway in the same manner and by the same process as is now prescribed by the laws of this state for condemnation of rights-of-way for toll bridges, causeways, ferries and highways and every one of the laws of the State of Alabama, applying to the condemnation of rights-of-way for toll bridges, causeways, ferries and highways in this State, be and the same are hereby made to apply, to govern and to control the acquisition of such right-of-way by and for such person, persons or corporation.

Section 3. The consent hereby authorized and granted is conditioned upon a like consent and authority to be obtained from the State of Florida, and of the County of Escambia in the state of Florida, for the construction of that portion of said bridge, causeway and highway to be located in the County of Escambia, in the State of Florida; and the said consent is further subject to all conditions and requirements for bridges over navigable waters as prescribed by rules and regulations of the War Department of the United States.

Section 4. This grant, consent and authority is further subject to all of the terms and provisions of the laws of the State of Alabama as now existing or that may hereafter be enacted and subject to such rules and regulations of the governing body of Baldwin County now or hereafter promulgated, relative to the establishment of toll ferries, toll bridges, and roads.

Section 5. Authority is hereby granted to the governing body of Baldwin County, Alabama, acting for Baldwin County, and to the State Highway Commission, acting for the State of Alabama, either or both to act separately or jointly with the authorities of the State of Florida and with the County Commissioners of Escambia County, Florida, either or both to purchase said toll bridge, bridges, causeway and highway after same shall have been in operation for a period of fifteen years, and upon such terms as may be embodied in the franchise to be issued by the said governing body of Baldwin County, Alabama.

Section 6. This act shall take effect immediately upon its passage and approval by the Goveronr or upon its becoming law without such approval.

Foley, Ala., July 16, 1927.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
Baldwin County.

T. L. C. Vail, being duly sworn, deposes and says that he is the Publisher of The Baldwin County News, a Weekly Newspaper published at

Foley, Baldwin County, Alabama; that the notice hereto attached of Bill to authorize toll bridge over Perdido Bay, etc., was published in said newspaper for 4 consecutive weeks in the following issues:

Date of first publication: June 23rd, 1927.
Date of second publication: June 30th, 1927,
Date of third publication: July 7th, 1927.
Date of fourth publication: July 14th, 1927.

T. L. C. Vail,
Publisher.

Subscribed and sworn to before the undersigned this 16th day of July, 1927.

(Seal)

Dixie E. Vail,
Notary Public.

By Mr. Jackson:

S. 392. Regulating the practice of public accountancy in the State of Alabama, creating a State Board of Accountants and prescribing its powers and duties; providing for the examination and certification of professional accountants; and prescribing penalty for violation of provisions of act or making false or fraudulent reports; and repealing all laws in conflict therewith.

Finance and Taxation.

Also:

(With N. &P.):

S. 393. To vest the Board of Revenue of Barbour County, Alabama, with further and more general powers as to roads and revenues, the handling of the revenues and the appointment of a clerk to further assist the Board in such matters and generally; to give the Board of Revenue further right, power and authority in establishing rules and regulations for building of roads and bridges and maintenance and upkeep of the same; to give said Board of Revenue legislative, judicial and executive powers as to the construction, improvement and maintenance of public roads and bridges, vesting them with authority to promulgate rules and regulations concerning the same, giving said Board the right of eminent domain in regard to the same, vesting the said Board with authority to fix a per capita road tax, requiring the publication of such rules and regulations and fixing a penalty for violation thereof; to fix the salary of the clerk of such Board of Revenue, regulate the meetings of said Board of Revenue; to require all oqicers of the County collecting revenue to pay the same over to the proper authority and report thereon; require said Board to publish semi-annual statements; to fix the compensation of the members of said board and to repeal all local laws affecting roads and bridges in Barbour County and all laws in conflict herewith.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

LOCAL LEGISLATION

Notice is hereby given that the following proposed Local Act of the Legislature, affecting Barbour County, Alabama, will be introduced in the Legislature the coming session thereof to be held in June, 1927, for enactment by said Legislature into law. Said proposed act of the Legislature being in substance as follows, to-wit:

AN ACT

To establish a road law for Barbour County: To give the Board of Revenue of Barbour County legislative, judicial and executive powers, except as limited by the general laws of Alabama, in the construction, maintenance and improvements of public roads and bridges in said County: Authorize said Board of Revenue to promulgate rules and regulations in the matter of building, constructing, improving and maintaining the public roads and bridges: And giving such Board the right of eminent domain: To fix the requirements as to the working of roads and fixing per capita tax, and giving such Board the right to promulgate rules and regulations in regard thereto; Giving such Board the right to promulgate rules and regulations limiting and providing for the collection of a vehicle tax: Requiring the publication of such rules and regulations and making it unlawful for any one to violate any of the rules and regulations as to maintaining and working the public roads and bridges: As to the payment and collection of per capita road tax, and as to the payment and collection of vehicle tax so to be promulgated; and fixing the punishment for such violators as may be convicted; Authorizing the Board of Revenue to employ Clerk of the Board of Revenue, and fixing his salary and prescribing the duties of such Clerk: Regulating the regular meetings of the Board of Revenue: Providing that all officers of Barbour County who collect revenues pay the same over to the County Depository or Treasury and report thereon: Requiring the publication of semi-annual statements and fixing the method and manner thereof: Fixing the compensation of members of the Board of Revenue.

Be it enacted by the Legislature of Alabama:

Section 1: The Board of Revenue of Barbour County, Alabama, or other like governing body of said County, be and the same is hereby vested with full power and control of the public roads, bridges and ferries within said County, may establish new and change and discontinue old roads, bridges and ferries in such manner as they may deem best to render travel over the same as safe and convenient as practicable. And the said Board of Revenue, or other like governing body of said County, shall have and is hereby given full power and authority to promulgate rules and regulations for the building, working, maintenance and upkeep of said roads and bridges, and to this end is hereby given full power and authority to promulgate and ordain a per capita road tax in said County for road purposes, and a vehicle tax in said County for road and bridge purposes, and to this end said Board of Revenue, or other like governing body of said County, have and is hereby given legislative, judicial and executive powers, except as limited by the general laws of the State of Alabama, and to this end the Board of Revenue of Barbour County, or other like governing body of said County, be and the same is hereby declared to be a Court of unlimited jurisdiction and powers as to the construction. maintenance and improvement of the public roads and bridges of said County, except as limited and prohibited by the general laws of the State of Alabama.

Said Board of Revenue may establish, promulgate and enforce rules and regulations, make and enter into contracts as may be deemed necessary or advisable by such Board of Revenue, to build, construct, make, improve,

maintain and keep up a good system of public roads and bridges and ferries in said County, and to regulate, promulgate and enforce rules and regulations as to the use of said roads, bridges and ferries, provided, however, that no contract for the construction or repair of any public road or bridge shall be made where the payment of the contract price shall extend over a period of more than ten years.

Section 2: The Board of Revenue of said County of Barbour is hereby given the right of eminent domain for the purpose of establishing and changing the roads and bridges in said County and the procedure therefor shall be the same as is provided by the general laws of Alabama.

Section 3: That all women and all men under the age of eighteen and over the age of forty-five; all persons who have lost an arm or leg; and all persons who by nature or disease are rendered incapable of hard labor who shall secure a certificate of such incapacity from the County Board of Health shall be exempt from working on the public roads of said County, provided, if there shall be no County Board of Health the said certificate of such incapacity shall be secured from at least two reputable physicians.

Section 4: That all persons shall be liable for road duty or to work on the public roads and bridges of said County except those exempt by the preceding Section of this Act and those exempted by the general laws of Alabama.

Section 5: That the Board of Revenue shall have the right, in the event any contract is let for the building, repair, maintenance or upkeep of any road or bridge in the County, to exact a bond from the Contractor provided the contract exceeds the sum of One Hundred Dollars.

Section 6: That the convicts of said County of Barbour may in the discretion of the Board of Revenue be worked upon the public roads and bridges of said County under such rules and regulations as the Board of Revenue may designate and promulgate, not in conflict with the State laws, or said convicts may be turned over to the State Convict Department under the law now existing governing and controlling the same.

Section 7: That the Board of Revenue may levy and collect under such rules and regulations to be passed and adopted and promulgated by such Board of Revenue and within the limits herein provided and not contrary to the prohibitions of the general laws of the State of Alabama a per capita road tax and provide a method of collecting the same, such per capita road tax to be money compensation in lieu of work, the amount to be fixed by the board of revenue and not to exceed $10 per annum for those liable for road duty in lieu of the labor required by law upon public roads, and may provide for the time and manner of payment of the same, provided, however, that no person liable or subject to road duty under this act can be made to work for more than ten days in any one year. The money arising from the per capita road tax shall be used exclusively for maintenance and improvements of the public roads and bridges of said County under the orders of the Board of Revenue; and provided further that said Board of Revenue shall provide by rules and regulations to be promulgated by said Board a method of collecting said per capita road tax and the compensation to the officer or agent charged with the duty of collecting the same, and the right and power to seek thru the proper channels of the Courts the conviction of any person failing to either work said roads, in lieu thereof to pay the per acpita road tax.

Section 8: That the Board of Revenue of said County be and it is hereby given full power and authority to provide the method of collecting the vehicle tax that may be ordained and promulgated by said Board to compensate the officer or agent for making the collection thereof and to do all that is proper and necessary to bring about the conviction of persons violating the rules and regulations fixing said tax so to be promulgated by the Board of Revenue. Provided such vehicle tax shall not be imposed upon

conveyance or vehicles used solely for the purpose of transporting agricultural products.

Section 9: Said Board of Revenue of Barbour County is hereby given full power and authority to change all of its rules and regulations within the limitations fixed herein and by the limitations fixed by the general laws of the State of Alabama from time to time as it may be proper and necessary.

Section 10: The Board of Revenue is charged with the duty of publishing in some newspaper published in Barbour County, Alabama, all of its rules and regulations that may be passed and adopted under the provisions hereunder, the same to become effective after publication therefor for not less than ten days, and all changes in or amendments to such rules and regulations shall likewise be published the same as the original.

Section 11: That it shall be unlawful for any person, firm or corporation to violate any rule, regulation or law which may be adopted or promulgated by the Board of Revenue of Barbour County, Alabama, under the authority conferred by this act, relating to the use, control, care, operation and maintenance of any public road or bridge or ferry in said County; or relating to the working, maintenance and up-keep of said roads or bridges or ferries in said County; or relating to the collection of the per capita tax so to be fixed and levied by said Board of Revenue; or the enforcement of the provisions requiring the working of the roads in lieu of payment of the per capita tax, and the collection and enforcement thereof of said vehicle tax that may be passed and adopted and promulgated by said Board of Revenue; and any person, firm or corporation violating any of the rules and regulations so adopted and promulgated by the Board of Revenue of Barbour County, Alabama, shall be deemed guilty of a misdemeanor and shall be upon conviction fined not more than One Hundred Dollars, and may also be sentenced to hard labor for the county for not more than six months, either or both, and each violation shall be and constitute a separate offense.

Section 12: That the Board of Revenue of said Barbour County shall have the right, power and authority to select and employ a Clerk of the Board of Revenue and fix his salary for a term of not longer than two years, said salary to be fixed in such amount as the Board of Revenue may see fit and proper, the same to be paid in monthly installments from warrants drawn on the general funds of the County. Said Clerk shall be the keeper of the records of the Board of Revenue and shall countersign all warrants and shall keep an accurate account of all the revenues collected, either direct to him or paid by any of the officers of the County to him or into the County treasury or depository; and to keep an accurate check on the financial condition of the County, monies on hand in the County depository and in reasonable expectancy; provided further that in the event no County depository is chosen under the existing law regulating the selection thereof, that the Clerk of the Board of Revenue may be designated by the Board of Revenue as Treasurer of the County to act as Clerk of the Board of Revenue and Treasurer of the County.

Section 13: That the Board of Revenue shall hold such regular meetings as the Board itself may determine are necessary, but not less than four regular meetings per annum, and the meetings, both regular and special, shall as near as is practicable be held alternating at the Court House of the County in Eufaula, Alabama, and at the Court House of the County in Clayton, Alabama. Said Clerk shall do and perform all other duties assigned to him by the Board of Revenue of said County.

Section 14: That all officers of Barbour County who collect revenues belonging to the County are hereby required to pay the same over monthly to the County depository, or the Treasurer of the County, as the case might be, and to file a statement at the time of the payment thereof to the County

depository with the Board of Revenue, the same to be filed with the Clerk of the Board of Revenue.

Section 15: That the Board of Revenue shall publish semi-annual statements of the financial receipts and disbursements of monies belonging to the County and over which the Board of Revenue has power and jurisdiction. Said statements may be condensed, but to be in such form and substance as to intelligently inform the taxpayers of the County of the status of the County's financial affairs.

Section 16. That in lieu of all other compensation to be paid and allowed to the members of the Board of Revenue of Barbour County, each member of the Board shall be paid out of the funds of the County by warrants to be drawn by the President and countersigned by the Clerk of the Board of Revenue a monthly salary of Twenty-five dollars per month.

Section 17: That the President of the Board of Revenue may receive compensation in addition to that provided for herein, for his services as such President in such amount as the Board of Revenue may fix and order paid, proportionate to the service that he performs as such officer.

Section 18: Be it further enacted that if any section, item or provision herein enumerated shall be declared invalid or void for any reason, it shall in no wise affect the remaining provisions of this Act.

Section 19: That except so far as the same may be in conflict with this Act, the general laws now in force in the State of Alabama, with reference to public roads, highways and bridges shall be in force in Barbour County, Alabama and all general laws not in conflict herewith hereafter passed with reference to roads, highways and bridges by the Legislature, shall be in force and apply to Barbour County.

Section 20: That all laws or parts of laws, local or special, in conflict with the provisions of this act, be and the same are hereby repealed.

Section 21: This act shall take effect immediately upon its approval by the Governor.

STATE OF ALABAMA,
Barbour County.

Before me, Lillian Tyson, a Notary Public, in and for said County and State, personally appeared J. K. Simmons, who being by me first duly sworn, deposes and says, that he is the Editor and Publisher of the Eufaula Daily Citizen, and that the notice of intention to apply for the passage of Local Act, a copy cut from the Eufaula Daily Citizen being hereto attached and made a part hereof as fully and completely as if set out herein fully, was published in the Eufaula Daily Citizen once a week for four consecutive weeks, the first publication having been made on the 21st day of May, 1927, and it was published thereafter once each week, making in all four consecutive weeks.

Affiant further states on oath that the said Eufaula Daily Citizen is a newspaper published in Barbour County, Alabama, the county which is to be affected by the Local Legislation incorporated in said proposed bill and said notice was given in accordance with the intent, purpose and requirement of Section 106 of the Constitution of Alabama 1901.

J. K. Simmons.

Sworn to and subscribed before me, this the 17th day of June, 1927.

Lillian Tyson,
Notary Public, Barbour County, Alabama.

By Mr. Teasley:

S. 394. To amend Sections 7097, 7098, 7099, 7102, 7103, 7104, 7105 and 7108 of the Code of Alabama of 1923.

Banking and Insurance.

By Mr. Ellis of Dallas:

S. 395. To make further appropriations to the State Board of Health for the purpose of promoting the public health of the State of Alabama and the several counties thereof.

Finance and Taxation.

Also:

(With N. & P.):

S. 396. To amend sections 5 and 14 of an act approved August 28, 1923, entitled an act to establish an inferior court in precinct 36 in Dallas county, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees.

Judiciary.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following amendment to the Inferior Court law of Dallas County will be offered for passage by the Legislature of Alabama at its session in June, 1927,

A Bill to be Entitled An Act to amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to defend the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appoinmtnet of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court

from the justice of the peace courts in said precincts of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 5 of said Act be amended so as to read as follows:

Section 5. Be it Further Enacted that the judge of said Court shall receive a salary of eighteen hundred dollars per annum, payable monthly out of the inferior Court fund upon warrant drawn upon the court depository by the Probate Judge of Dallas County, Alabama, in the event there is not sufficient money in said fund to pay the salary of the judge within any particular month, the judge shall be entitled to draw out of said fund in any month that sufficient funds are in said Inferior Court fund any back salary that may be due, provided, however, that no salary shall be paid any judge after his term of office has expired, unless there be a sufficient amount of money in said Inferior Court fund at the time of the expiration of his office. Provided, that the Probate Judge of Dallas County, Alabama, is hereby empowered to cover from said Inferior Court Fund into the general treasury of said county at the end of each calendar year, any sums of money to the credit of said Inferior Court fund at such time in excess of one thousand dollars. Provided further, that the Probate Judge shall be entitled to receive for his compensation for reeciving, paying out and accounting for said funds, two and one half per centum commissions on the funds of said court.

Section 2. Be it further enacted: That section 14 of said Act be amended so as to read as follows:

Section 14. That on the first Monday of each month the Probate Judge of said County shall pay to the Sheriff of said county the sum of fifty dollars for services rendered said court as required by law, which sum shall be paid by warrant issued to said Sheriff by said Probate Judge and drawn on said Inferior Court fund.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

J. E. Gaddy,

THE STATE OF ALABAMA,
County of Dallas.

Before me, H. F. Reese, a notary public in and for said county in said state personally appeared Mrs. M. H. Raiford, who being first duly sworn, deposes and says that she is the Business Manager of the Selma Times-Journal, a newspaper published in said county; that the attached notice was duly published in said Times Journal, once a week for four successive weeks; that the date of said publications was June 11, June 18, June 25, and July 2, 1927, and that said publication was without cost to the said state or county.

M. H. Raiford,

Sworn and subscribed to before me this 18th day of July, 1927.

H. F. Reese,
Notary Public, Dallas County, Alabama.

By Mr. Williams (With N. & P.):

S. 397. To appropriate the sum of $1,000.00 for the relief of Frank Rogers, a former convict who lost an eye while in the service of the State of Alabama as such convict.

Finance and Taxation.

With Notice and Proof herewith exhibited as follows:

STATE OF ALABAMA,
Franklin County.

Before me, the undersigned authority, personally appeared W. B. Norris, who is Assistant Editor and Publisher at Russellville, Franklin County, Alabama, who on oath says that he has personal knowledge of the facts herein set out, and that the notice hereto attached was published in the Franklin Times 4 consecutive weeks, said publications being on June 16, 1927, June 23, 1927, June 30, 1927 and July 7, 1927.

W. B. Norris,

Sworn to and subscribed before me, this July 13, 1927.

W. L. Chenault,
Notary Public.

A Bill to be Entitled an Act to appropriate the sum of $1,000 for the relief of Frank Rogers, a former convict who last an eye while in the service of the State of Alabama as such convict.

Be it Enacted by the Legislature of Alabama as follows:

Section 1. That there is hereby appropriated out of the general funds of the state, not otherwise expended, the sum of $1,000 for the relief of Frank Rogers, who, as a State convict lost one of his eyes, which injury and loss was suffered by him and without his fault while so serving as such convict.

Section II. This act shall take affect immediately on being passed and approved by the Governor of Alabama.

STATE OF ALABAMA,
Franklin County.

The above and foregoing bill will be introduced and its passage insisted upon during the forthcoming adjourned session of the Legislature.

This 11th day of June, 1927.

Travis Williams.

By Mr. Williams (With N. & P.):

S. 398. To fix the salaries of the Judge and the Solicitor of the Law and Equity Court of Franklin County, and to further prescribe the duties of the Solicitor of said Court.

Judiciary.

With Notice and Proof herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that application will be made to the Legislature of Alabama for the passage, in the present session, 1927, of a local law for Franklin County, as follows:

A BILL

To be entitled: An Act to fix the salaries of the Judge and the Solicitor of the Law and Equity Court of Franklin County, and to further prescribe the duties of the Solicitor of said Court.

Be it Enacted by the Legislature of Alabama:

Section 1. The salary of the Judge of the Law and Equity Court of Franklin County is fixed at $3600.00 per year, payable as now provided by law.

Section 2. The salary of the Solicitor of the Law and Equity Court of Franklin County is fixed at $1800.00 per year, payable as now provided by law.

Section 3. In addition to all other duties now, or hereafter, provided by law, it shall be the duty of the Solicitor of said Court to assist the Solicitor of the Circuit Court in prosecuting felony cases in the Circuit Court, whenever requested in writing to do so by the Solicitor of the Circuit Court.

Section 4. The Solicitor of the Law and Equity Court of Franklin County is prohiibted from appearing as attorney in any civil case tried in Franklin County, Alabama, which civil suit is founded upon, grows out of, or concerns a criminal charge, or the violation of a criminal law.

Section 5. It shall further be the duty of the Solicitor of the Law and Equity Court of Franklin County, to appear as an amicus curiae in any divorce suit pending in said Court, whenever directed in writing by the Judge of said Court to do so, and as such amicus curiae to represent and protect the interests of the State and of society.

Section 6. This statute shall be effective immediately upon its approval by the Governor.

THE STATE OF ALABAMA,
Franklin County.

Before me, the undersigned Notary Public in and for said State and County, came personally George L. Cleere, who is known to me and who, being first duly sworn, deposes and says:

1. My name is George L. Cleere. I reside at Russellville, Franklin County, Alabama.

2. I am Editor and Publisher of the Franklin Times, a newspaper published weekly at Russellville, Franklin County, Alabama.

3. The annexed local bill relative to the salaries of the Judge and Solicitor of the Law and Equity Court of Franklin County, and the duties of the said Solicitor, has been published, without cost to the State of Alabama, in the last four issues of said newspaper; that is to say, in the issues of June 16th, June 23rd, June 30th, and July 7th, 1927. A copy of the said notice, as published, is hereto attached, and referred to as a part of this affidavit.

George A. Cleere,

Subscribed and sworn to before me this 8th day of July, 1927.

H. H. Hamilton,
Notary Public.

By Mr. Craft:

S. 399. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) percentum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy or such tax and the rate thereof, shall have been first submitted to the vote of the

qualified electors of Mobile County and voted for by a majority of of those voting at such election.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax of not exceeding one - tenth (1/10) of one (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901, which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

By Mr. Craft:

S. 400. To provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final ad-

journment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the board of School Commissioners of Mobile County may, during the twenty (20) year period hereinafter mentioned, issue and sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand ($3,500,000.-00) Dollars, proceeds from the sale of which may be used for the purchase of sites, the erection of buildings, the furnishing of facilities for mental, manual and physical training; and the furnishing of equipment for public educational purposes, as distinguished from maintenance and operation of public schools; the refunding or the payment and retirement of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board or not, incurred for capital expenditures, as distinguished from indebtedness incurred for maintenance and operation of public schools; providing the maximum rate of interest thereon, the maximum date of maturity of said bonds, and the levying of a special annual tax by the Board of School Commissioners of Mobile County, not exceeding Three-tenths (3/10) of one (1) per centum of the assessed value of all property in Mobile County to pay the interest and provide for the payment at maturity of such bonds, which tax shall be in addition to all other taxes now authorized or which may hereafter be authorized by law, and providing that the power to levy said tax shall cease to exist at the expiration of twenty (20) years from the date of the first issue of bonds thereunder; and providing further that the issuance of such bonds and the levying of such taxes be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election.

Be it enacted by the Legislature of Alabama:

Section 1. That the folowing amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may, during the twenty year period hereinafter mentioned, issue and sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand ($3,500,000.00) Dollars, proceeds from the sale of which may be used for any one or more or all of the following purposes:

(a) The purchase of sites, the erection of buildings, the furnishing and equipping of same; the furnishing of facilities

for mental, manual and physical training, and the furnishing of equipment for public educational purposes; as distinguished from maintenance and operation of public schools.

(b) The refunding or the payment and retirement, either or both, of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board of School Commissioners of Mobile County or not, inclurred by said Board for capital expenditures on behalf of the public schools of Mobile County; as distinguished from indebtedness incurred for maintenance and operation of said public schools.

Such bonds shall bear a rate of interest not greater than Six (6%) per centum per annum, payable semi-annually; provided that no bonds issued hereunder shall run for a longer period than twenty (20) years from the date of the issue of the first bonds hereunder. To provide for the payment and retirement of said bonds at maturity and to pay the interest on said bonds, the Board of School Commissioners of Mobile County may, from time to time in its discretion, levy and collect annually a tax on all property situated in Mobile County, in such sum as will be in its judgment sufficient to pay the interest upon and provide for the payment at maturity of all bonds then outstanding or the issue of which is then contemplated, provided that such levy shall never in any one year exceed the rate of Three-tenths (3/10) of One (1) per centum of the value of all such property as assessed as is provided by law; which said tax of not exceeding Three-tenths (3/10) of One (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901; which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding Three-tenths (3/10) of One (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that the right and power hereby vested in the Board of School Commissioners of Mobile County to levy and collect the aforesaid tax shall cease to exist at the expiration of twenty (20) years from the date of the first issue of bonds hereunder; and provided further that the plan of issuing bonds and levying a tax to pay interest thereon and providing for the payment of said bonds at maturity, as herein provided for, be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election; and provided further that to bring into being the said power and authority to issue bonds and levy taxes as aforesaid.

it shall be necessary to have only one election by the qualified voters of Mobile County to approve the entire plan.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Constitution and Constitutional Revision and Amendments.

The above bill was read one time at length, as required by the Constitution.

Also:

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges and to authorize Courts of County Commissioners, Boards of Revenue, or other like governing bodies of the several counties of Alabama, having a population of not less than ninety thousand and not more than one hundred and fifty thousand according to the last or any subsequent Federal census, to issue new interest bearing warrants, as the same or a less rate of interest in lieu of the warrants the time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

Public Roads and Highways.

By Mr. Craft (With Notice and Proof):

S. 402. To create, form and incorporate a seawall district in in Mobile County, Alabama, to be known as 'Seawall District Number One of Mobile County, Alabama,' for the building and maintaining of seawalls and other protection against seas, waves, storms and floods, and to provide for the assessment of the whole or part of the cost of such improvements against the land in such district to the extent of the increased value of such land by reason of the special benefits derived from such improvements, and to provide for the issuance of bonds by such district without an election; to name and define the boundaries of such district, its objects, purposes, powers, functions and period of existance; to provide a complete system for the administration of the affairs of such district, including planning and designation of seawalls therein to be constructed, improved or maintained, the ascertainment and determination of the ex-

tent of the increased value of the land in such district by reason of the special benefits derived from such improvement, prescribing the lands in such district the value of which is increased by reason of special benefits derived from each of such improvements, providing for the assessment against each piece or parcel of such land of its proportionate part of the whole or a part of the cost of such improvement, the collection of such assessments, the letting of contracts for such improvements, and the issuance and sale of bonds by such district; to provide for the appointment, by the Board of Revenue and Road Commissioners of Mobile County, of five persons, as the Board of Commissioners for such district, and to provide the term of office of such commissioners, and for the filling of vacancies and the appointment of their successors or any succeeding commissioner, and to prescribe the powers, authority, duties, rights and limitations of the Board of Commissioners of said district, the compensation of the members thereof and how the same shall be paid, and to provide for additional compensation of the secretary of such board, and how the same shall be paid; to provide the qualification of all succeeding commissioners; to provide machinery for the qualifications of said commissioners and the organization and functioning of said board of Commissioners of said district, and for the employment by said board of necessary employees, engineers, agents and attorneys, and the fixing of their respective duties, compensation and bond, if any, and to provide how such compensation shall be paid; to provide for the planning and construction of seawalls within said district; to provide how such plans may be formed and adopted or rejected, for the filing of such plans and specifications, the manner and method of objections, if any, by persons affected by such proposed improvement and the effect of such objections or the failure so to object; to provide for a meeting of said board of commissioners of said district to hear any objections to such improvements and to provide for notice of such meeting; to provide that if any such improvement be not made, all amounts borrowed and all costs incurred or accrued shall be paid by the County of Mobile; to provide for the adoption of one or more plans and specifications approved by said board; to provide for the preparation of a list of lands in said district specially benefited from or increased in value by reason of each such improvement; to provide for the appointment of three persons as a Board of Assessors for said district, for their terms of office, for the filling of vacancies on said board, and the appointment of their successors or any succeeding member of said board, for the organization of said Board of Assessors and the oath of its members, for the compensation of members of said board and for the payment of such compensation and to provide generally, the powers, authorities,

limitation and the duties of said Board of Assessors, including the power and duty to ascertain, determine and report the increased value of each such lot or parcel of land by reason of the special benefits derived from such proposed improvement; to provide for the filing and notice of the filing of said report; to provide the manner in which said notice shall be given; to provide for the filing of objections to such ascertainment or benefits, and the effect of failure so to do; to provide that the Board of Revenue and Road Commissioners of said County shall meet to correct any errors in said ascertainment or benefits and shall hear and determine any objections thereto and correct and then approve said report, and that said report then be certified by the chairman of the Board of Revenue and Road Commissioners of said County, and shall then be opened to attack only by direct appeal; to provide for compensation of the Board of Revenue and Road Commissioners in connection with the duties imposed by this act, and the payment thereof; to provide for appeal from such determination by said Board of Revenue and Road Commissioners to the Circuit Court or other court of like jurisdiction, the time, manner, limitation and method of taking, hearing, and determination of such appeals, and effect of such appeal, and the matters which shall be considered; to provide that an appeal may be taken to the Supreme Court of Alabama from any judgment of such lower court, the time and manner thereof, that such appeal be heard upon the record and bill of exceptions; to provide for advertisement for bids for construction according to plan of improvement; to provide for the machinery of giving such notice to bidders and the contents and requirements of such notice; to provide that said Board of Commissioners of said district may impose other conditions on bidders; to provide that said Board of Commissioners of said District shall open and consider such bids and shall have the right to reject any and all bids or may accept informal bids; to provide that said Board of Commissioners of said District shall fix the number of equal annual installments in which assessments may be paid; to provide that such installments shall bear interest at eight per cent and to fix the maximum number thereof; to provide how any contract by said Board of Commissioners of said District shall be executed and for what purpose, and that surety bond shall be required from each contractor, to provide for filing by Board of Commissioners of said District with the Board of Assessors a statement of estimated cost of construction in such plan of improvement, to provide for an assessment book, the contents thereof, and delivery thereof to Board of Assessors, how interest shall be made and how same shall be kept; to provide that the Board of Assessors shall assess against such property the proportionate part of such estimated total cost of such improvement

not exceeding the increased value by reason of benefits derived from such construction, limitation thereon, how such assessment shall be arrived at, effect of error therein and correction thereof; to provide for the certification of said book by said Board of Assessors, filing thereof with Judge of Probate and for notice of the filing thereof; to provide that sale of land hereunder shall effect only the assessment under which same was made; to provide for objections to and the hearing, determination and adjustment of any objection to any such assessment, and effect of failure to object; to provide that any one desiring to pay any assessment in installments shall deliver to chairman of said Board of Assessors an agreement to that effect, when same must be filed, contents thereof, how executed, to be recorded in Probate Court; to provide for hearing of objections to such assessment, and the machinery therefor, the approval, confirmation and correction of such assessment; to provide for the increase of assessments by the Board of Revenue and Road Commissioners, for what purpose, how, limitation thereon, notice thereof by Judge of Probate, contents of such notice, when, how, and to whom given, and effect of failure to file protest against such proposed increase; to provide for a hearing and determination of such protest; to provide for the approval of such assessments and the effect thereof, and for the certification of the assessment book; to provide that such assessments shall constitute a lien upon such land, and the priority of such lien; to provide how such assessments may be reduced; to provide that the Board of Commissioners of said District may assign such lien to contractors or others; to provide for an appeal from the final order of the Board of Revenue and Road Commissioners relating to assessment to the Circuit Court or similar court, how, when, and by whom taken, and the effect thereof; to provide that if no such appeal is taken, such assessment shall be final and binding; to provide how such appeals shall be taken and tried and the determination thereof; to provide for appeals to Supreme Court of Alabama, when, by whom, and how taken, and that such appeals shall be heard upon the record and bill of exceptions; to provide that interest and damages be added to the judgment if supersedeas bond given and judgment affirmed; to provide for the enforcement of such judgment; to provide how assessments or installments may be paid, when, where, amount thereof, interest thereon, and the effect of waiver of right to pay in installments; to provide for sale of property upon failure to pay assessment, or installment, notice of such sale; to provide that mandamus may issue to compel such sale, by whom, and to what court applied for, enforcement thereof; to provide the machinery for such sales, that costs of such sale be a charge against property sold, execution of deed, what same shall con-

vey, surplus arising from such sale, to whom paid, for whom kept; to provide that said district may purchase such property on such sale, how deed shall be made; to provide for the redemption of such property, by whom, when, how made; to provide that no mistake in name of owner or description of property in any publication shall vitiate any assessment or lien; to provide that an ineffectual sale shall operate as assignment of lien and for supplementary proceedings to correct such errors, by whom and how; to provide what shall be the effect of failure to mail or receive any notice upon any proceeding authorized in this act; to provide for machinery of collection and remittance of assessments of installments, penalties and interest by the tax collector of said county, and to prescribe his duties, powers, liability, commission and fees, including his duty to pay over to said Board of Commissioners of said District all collections, less commissions and fees, together with a written statement from time to time, and to provide the contents of such statement, when and how made and filed, and that his accounts be public records; how money shall be paid out by him, contents of warrants, how warrants made, bond of treasurer, premiums thereon, how paid; to provide when additional assessments may be levied, how, limitation; to provide for the issuance of bonds, by said Board of Commissioners, of said District, when, for what purpose, how, to whom, in what amount, where payable, time, character and maturity of such bonds of installments thereof, and for the appointment of Registrar or transfer agents by said Board of Commissioners of said District; to provide when and in what manner and under what limitations the Board of Commissioners of said District may issue such bonds to the contractor or contractors in payment in whole or in part of the contract price of the work done by such contractor or contractors; to provide generally when, how, in what manner, upon what terms and under what limitations such bonds or any part thereof may be sold or otherwise disposed of, and by whom and under what conditions and at what price such bonds may be sold, or otherwise disposed of; to provide how and when validity of such bonds may be contested; to provide for the publication of resolutions f said Board authorizing the issue, sale, and delivery of such bonds and contents thereof; to provide for a notice by said Board of sale of such bonds, execution of contracts of construction; to provide for deposit of funds received by said Board in depository approved by Board of Revenue and Road Commissioners; to provide for the application of proceeds of sale of such bonds and money collected from assessments, penalties and interest; to provide the liability of the treasurer of said Board and the County Tax Collector for diversion of funds; to provide for refund of money collected in

excess of costs of such improvements; to provide that said Board of Commissioners of said District may acquire property by purchase or condemnation; to provide for the maintenance of such seawalls; and the reimprovement thereof; to provide for the appointment of a receiver to collect assessments, and application of proceeds so collected, and discharge of such receiver; to provide that said Board of Commissioners of said District shall annually file account with Board of Revenue and Road Commissioners, audit thereof; to provide that said Commissioners of said District and Assessors shall be liable only for wilful misconduct; to prescribe penalties and punishment of any one for violation of terms of this act; to provide for the reimbursement of said county for fees and expenses paid out hereunder; to provide for the fees of county officers for services rendered hereunder; to provide as to the constitutionality hereof, the repeal of laws in conflict herewith, and when this act shall take effect."

Local Legislation.

With Notice and Proof herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama when convened in its next session hereafter, to pass a local act providing in substance as follows:

An Act entitled:

"An act to create and form and incorporate a Seawall District in Mobile County, Alabama, to be known as 'Seawall District Number One of Mobile County, Alabama', for the building and maintaining of seawalls and other protection against seas, waves, storms and floods, and to provide for the assessment of the whole or part of the costs of such improvements against the land in such district to the extent of the increased value of such land by reason of the special benefits derived from such improvements, and to provide for the issuance of bonds by such district without an election; to name and define the boundaries of such district, its objects, purposes, powers, functions and period of existence; to provide a complete system for the administration of the affairs of such district, including planning and designation of seawalls therein to be constructed, improved or maintained, the ascertainment and determination of the extent of the increased value of the land in such district by reason of the special benefits derived from such improvement, prescribing the lands in such district the value of which is increased by reason of special benefits derived from each of such improvements, providing for the assessment against each piece of parcel of such land of its proportionate part of the whole or a part of the cost of such improvement, the collection of such assessments, the letting of contracts for such improvements, and the issuance and sale of bands by such district; to provide for the appointment, by the Board of Revenue and Road Commissioners of Mobile County, of five persons, as the Board of Commissioners for such district, and to provide the term of office of such commisioners, and for the filling of vacancies and the appointment of their successors or any succeeding commisioner, and to prescribe the powers, authority, duties, rights and limitations of the Board of Commissioners of said district, the compensation of the members thereof and how the same

shall be paid, and to provide for additional compensation of the secretary of such Board, and how the same shall be paid; to provide the qualification of all succeeding commissioners; to provide machinery for the qualification of said commissioners and the organization and functioning of said Board of Commissioners of said District, and for the employment by said Board of necessary employees, engineers, agents and attorneys, and the fixing of their respective duties, compensation and bond, if any, and to provide how such compensation shall be paid; to provide for the planning and construction of seawalls within said district; to provide how such plans may be formed and adopted or rejected, for the filing of such plans and specifications, the manner and method of objections, if any, by persons affected by such proposed improvement and the effect of such objections or the failure so to object; to provide for a meeting of said Board of Commissioners of said District to hear any objections to such improvements and to provide for notice of such meeting; to provide that if any such improvement be not made, all amounts borrowed and all costs incurred or accrued shall be paid by the County of Mobile; to provide for the adoption of one or more plans and specifications approved by said Board; to provide for the preparation of a list of lands in said district specially benefited from or increased in value by reason of each such improvement; to provide for the appointment of three persons as a Board of Assessors for said district, for their term of office, for the filling of vacancies on said Board, and the appointment of their successors or any succeeding member of said Board, for the organization of said Board of Assessors and the oath of its members, for the compensation of members of said Board and for the payment of such compensation and to provide generally, the powers, authorities, limtation and the duties of said Board of Assessors, including the power and duty to ascertain, determine and report the increased value of each such lot or parcel of land by reason of the special benefits derived from such proposed improvement; to provide for the filing and notice of the filing of said report; to provide the maner in which said notice shall be given; to provide for the filing of objections to such ascertainment of benefits, and the effect of failure so to do; to provide that the Board of Revenue and Road Commissioners of said County shall meet to correct any errors in said ascertainment of benefits and shall hear and determine any objections thereto and correct and then approve said report, and that said report then be certified by the Chairman of the Board of Revenue and Road Commissioners of said County, and shall then be open to attack only by direct appeal; to provide for compensation of the Board of Revenue and Road Commissioners in connection with the duties imposed by this act, and the payment thereof; to provide for appeal from such determination by said Board of Revenue and Road Commissioners to the Circuit Court or other Court of like jurisdiction, the time, manner, limitation and method of taking, hearing, and determination of such appeals, and effect of such appeal, and the matters which shall be considered; to provide that an appeal may be taken to the Supreme Court of Alabama from any judgment of such lower court, the time and manner thereof, that such appeal be heard upon the record and bill of exceptions; to provide for advertisement for bids for construction according to plan of improvement; to provide for the machinery of giving such notice to bidders and the contents and requirements of such notice; to provide that said Board of Commissioners of said District may impose other conditions on bidders; to provide that said Board of Commissioners of said District shall open and consider such bids and shall have the right to reject any and all bids or may accept informal bids; to provide that said Board of Commissioners of said District shall fix the number of equal annual installments in which assessments may be paid; to provide that such installments shall bear interest at eight per cent and to fix the maximum number thereof; to provide how any contract by

said Board of Commissioners of said District shall be executed and for what purpose, and that surety bond shall be required from each contractor, to provide for filing by Board of Commissioners of said District with the Board of Assessors a statement of estimated cost of construction in such plan of improvement, to provide for an assessment book, the contents thereof, and delivery thereof to Board of Assessors, how entries shall be made and how same shall be kept; to provide that the Board of Assessors shall assess against such property the proportionate part of such estimated total cost of such improvement not exceeding the increased value by reason of benefits derived from such construction, limitation thereon, how such assessment shall be arrived at, effect of error therein and correction thereof; to provide for the certification of said book by said Board of Assessors, filing thereof with Judge of Probate and for notice of the filing thereof; to provide that sale of land hereunder shall affect only the assessment under which same was made; to provide for objections to and the hearing, determination and adjustment of any objection to any such assessment, and effect of failure to object; to provide that any one desiring to pay any assessment in installments shall deliver to Chairman of said Board of Assessors an agreement to that effect, when same must be filed, contents thereof, how executed, to be recorded in Probate Court; to provide for hearing of objections to such assessment, and the machinery therefor, the approval, confirmation and correction of such assessments; to provide for the increase of assessments by the Board of Revenue and Road Commissioners, for what purpose, how, limitation thereon, notice thereof by Judge of Probate, contents of such notice, when, how, and to whom given, and effect of failure to file protest against such proposed increase; to provide for a hearing and determination of such protest; to provide for the approval of such assessments and the effect thereof, and for the certification of the assessment book; to provide that such assessments shall constitute a lien upon such land, and the priority of such lien; to provide how such assessments may be reduced; to provide that the Board of Commissioners of said District may assign such lien to contractors or others; to provide for an appeal from the final order of the Board of Revenue and Road Commissioners relating to any assessment to the Circuit Court or similar court, how, when, and by whom taken, and the effect thereof; to provide that if no such appeal is taken, such assessment shall be final and binding; to provide how such appeals shall be taken and tried and the determination thereof; to provide for appeals to Supreme Court of Alabama, when, by whom, and how taken, and that such appeals shall be heard upon the record and bill of exceptions; to provide that interest and damages be added to the judgment if supersedeas bond given and judgment affirmed; to provide for the enforcement of such judgments; to provide how assessments or installments may be paid, when, where, amount thereof, interest, thereon, and the effect of waiver of right to pay in installments; to provide for sale of property upon failure to pay assessment, or installment, notice of such sale; to provide that mandamus may issue to compel such sale, by whom and to what court applied for, enforcement thereof; to provide the machinery for such sales, that costs of such sale be a charge against property sold, execution of deed, what same shall convey, surplus arising from such sale, to whom paid, for whom kept; to provide that said district may purchase such property on such sale, how deed shall be made; to provide for the redemption of such property, by whom, when, how made; to provide that no mistake in name of owner or description of property in any publication shall vitiate any assessment or lien; to provide that an ineffectual sale shall operate as assignment of lien and for supplementary proceedings to correct such errors, by whom and how; to provide what shall be the effect of failure to mail or receive any notice upon any proceedings authorized in this Act; to provide for machinery of collection and remittance of assess-

ments of installments, penalties and interest by the Tax Collector of said county, and to prescribe his duties, powers, liability, commission and fees, including his duty to pay over to said Board of Commissioners of said District all collections, less commissions and fees, together with a written statement from time to time, and to provide the contents of such statement, when and how made and filed, and that his accounts be public records; how money shall be paid out by him, contents of warrants, how warrants made, bond of treasurer, premius thereon, how paid; to provide when additional assessments may be levied, how, limitation; to provide for the issuance of bonds, by said Board of Commissioners, of said District, when, for what purpose, how, to whom, in what amount, where payable, kind, character and maturity of such bonds of installments thereof, and for the appointment of registrar or transfer agents by said Board of Commissioners of said District; to provide when and in what manner and under what limitations the Board of Commissioners of said District may issue such bonds to the contractor or contractors in payment in whole or in part of the contract price of the work done by such contractor or contractors; to provide generally when, how, in what manner, upon what terms and under what limitations such bonds or any part thereof may be sold or otherwise disposed of, and by whom and under what conditions and at what price such bonds may be sold, or otherwise disposed of; to provide how and when validity of such bonds may be contested; to provide for the publication of resolutions of said Board authorizing the issue, sale, and delivery of such bonds and contents thereof; to provide for notice by said Board of sale of such bonds, execution of contracts of construction; to provide for deposit of funds received by said Board in depository approved by Board of Revenue and Road Commissioners; to provide for the application of proceeds of sale of such bonds and money collected from assessments, penalties and interest; to provide the liability of the Treasurer of said Board and the County Tax Collector for diversion of funds; to provide for refund of money collected in excess of costs of such improvements; to provide that said Board of Commissioners of said District may acquire property by purchase or condemnation; to provide for the maintenance of such seawalls, and the reimprovement thereof; to provide for the appointment of a receiver to collect assessments, and application of proceeds so collected, and discharge of such receiver; to provide that said Board of Commissioners of said District shall annually file account with Board of Revenue and Road Commissioners, audit thereof; to provide that said Commissioners of said District and Assessors shall be liable only for willful misconduct; to prescribe penalties and punishment of any one for violation of terms of this act; to provide for the reimbursement of said County for fees and expenses paid out hereunder; to provide for the fees of County Officers for services rendered hereunder; to provide as to the constitutionality hereof, the repeal of laws in conflict herewith, and when this Act shall take effect."

Be it Enacted by the legislature of the State of Alabama:

Section 1. A seawall district is hereby formed in the County of Mobile within this State, said district being bounded as follows:

Beginning at a point where the southern boundary line of township 4 south, range 1 west intersects a line 1000 feet eastwardly from low water mark on the western shore of Mobile Bay, running thence west along governmental section lines to the northwest corner of Section 3, township 5 south, range west, running thence south along governmental section lines to the southeast corner of Section 9, township 5 south, range 1 west, thence west along governmental section lines to the southwest corner of said Section 9, thence south along govermental section liens to the southeast corner of Section 17, township 5 south, range 1 west, thence west to the southwest corner of said Section 17, thence south along governmental section lines to the southeast corner of Section 7, township 6 south, range 1

west, thence west along governmental section lines to the southwest corner of said Section 7, thence south along governmental section lines to the southwest corner of Section 30, township 7 south, range 1 west, thence west along governmental section lines to the southwest corner of Section 30, township 7 south, range 2 west, thence north along governmental section lines to the northwest corner of said Section 30, thence west along governmental section lines to the southwest corner of Section 20, township 7 south, range 3 west, thence north to the northwest corner of said Section 20, township 7 south, range 3 west, thence west along governmental section liens to the line dividing the states of Mississippi and Alabama, thence in a southerly direction along said state line and an extension thereof, to a point where the same intersects a line 1000 feet southwardly from low water mark on the southern shore of the mainland of Mobile County, thence in a general easterly and thence northerly direction along a line parallel with and 1000 feet off shore from the meandering low water mark of Grand Bay, Portersville Bay, Fowl River Bay, Heron Bay, Mobile Bay and other bodies of water forming the southern and eastern boundaries respectively, of the mainland of Mobile County, to the point of beginning.

Section 2. Said seawall district is hereby created a body politic and corporate by the name and style of "Seawall District Number One, of Mobile County, Alabama," and said corporation may sue and be sued, plead, be impleaded, and have perpetual succession for the purpose of building, constructing, maintaining and repairing seawalls and other protection against seas, waves, storms and floods, and appurtenances thereto, in said district. The Board of Revenue and Road Commissioners, as soon as practicable after the approval of this act, shall appoint five commissioners for said district to hold office, respectively, one for a period of one year, one for a period of two years, one for a period of three years, one for a period of four years, and one for a period of five years; all from the date of the approval of this act, and until their successors are appointed in the manner hereinafter provided, and have qualified. In the appointment of the commissioners for said Seawall District Number One of Mobile County, Alabama, the Board of Revenue and Road Commissioners shall state which of the said commissioners is appointed for a period of one year, which of said commissioners is appointed for a period of two years, which of said commissioners is appointed for a period of three years, which of said commissioners is appointed for a period of four years, and which of said commissioners is appointed for a period of five years. Each of the commissioners so appointed shall be a suitable person who is an owner of land in said district. The commissioners of said district shall be known and styled as "The Board of Commissioners of Seawall District Number One of Mobile County, Alabama." Said Board is hereinafter sometimes called "District Commissioners." The Board of Revenue and Road Commissioners of Mobile County, hereinafter sometimes called "County Commissioners," shall, at a regular meeting of said Board, at least thirty days prior to the expiration of term of office of each of said commissioners, make an order appointing some suitable person possessing the qualifications above set out, to act as commissioner for said district, whose term of office shall be five years from the expiration of the term of office of the commissioner named in this act, whom he succeeds. In like manner the said Board of Revenue and Road Commissioners of Mobile County shall, at a regular meeting of said County Commissioners held at least thirty days prior to the expiration of each term of office of each such District Commissioner, appoint his successor for a period of five years. In the event of the death, resignation, or removal from the county, or disqualification of any one or more of such District Commissioners, whether named in this act or appointed by said County Commissioners the said County Commissioner shall by like order, appoint the successor of such District Commissioner so

dying, resigning, removing from the county, or becoming disqualified, and such successor shall hold office during the unexpired term of the District Commissioner in whose place he is so appointed.

Section 3. Each commissioner of said Board of Commissioners of Seawall District Number One of Mobile County, before taking office, shall take the oath of office required by the Constitution and laws of the state of Alabama, and shall also swear that he will not, directly or indirectly, be interested in any contract made by said Board of District Commissioners. Such oath shall be taken before any clerk of a Court of record or notary public, and a copy of such oath shall be signed by each member of the Board and filed with the Judge of Probate of Mobile County, and another copy shall be filed with the secretary of said Board. Any member of the Board failing or refusing to take such oath of office within thirty days after his appointment shall be considered to have declined to serve, and the vacancy so caused shall be filled by the Board of County Commissioners of Mobile County at its next regular or adjourned meeting.

Section 4. Upon the qualification of members of said Board of District Commissioners, such Board shall organize by selecting one of their number as president, and another as secretary, and another as treasurer; provided, however, that the offices of secretary and treasurer may be held by one person. All such officers shall hold office during the pleasure of the Board. They shall also adopt a seal for such district and procure such records and books as are necessary for the carrying on of the business of the district. The members of said District Board shall be allowed, as compensation, fifteen dollars ($15.00) per day while engaged in attending Board meetings and also necessary expenses while engaged on business for the district. The secretary of said Board of District Commissioners shall be allowed and paid such additional compensation for the performance of the duties of secretary as may be fixed by the Board at the meeting at which organization thereof is perfected, which compensation shall not be changed during his term of office. All such compensatoion shall be paid out of the general funds of Mobile County. The Board of District Commissioners are also authorized to engage the necessary employees, engineers, agents, and attorneys for assisting them in carrying out the improvements contemplated, and said Board of District Commissioners shall fix the compensation of all such employees, engineers, agents, and attorneys. Such compensation (except such compensation as is hereinafter provided to be included in the cost of improvement) shall be paid out of the general funds of Mobile County upon vouchers approved by said Board of District Commissioners.

Section 5. Immediately upon the organization of said Board of District Commissioners, said Board shall employ, for such time and at such compensation and upon such terms as the Board of District Commissioners may determine, some competent engineer, who may be an individual, copartnership, or corporation, to prepare such preliminary plans, specifications, and estimates as are, from time to time, required by said District Board. Such engineer so employed or appointed by said District Board for the purpose aforesaid shall give bond in an amount of not less than one thousand dollars ($1,000.00), to be fixed by and approved by the District Board, conditioned that such engineer will faithfully discharge the duties imposed upon him as enginer for said district, and deliver to his successor or said District Board, upon demand, all instruments, papers, maps, documents, and other things that may have come into his hands by virtue of his employment.

Section 6. The said Board of District Commissioners shall have power to make, or cause to be made, plans for the construction of and to provide for the construction of, under the terms of this act, a seawall along or near such portion or portions of the western shore of Mobile Bay and

along or near such portion of the south shore of the mainland of Mobile County, lying within the limits of said District by this act created, as the said District Board may, from time to time determine upon, as hereinafter provided.

The District Board shall, from time to time, determine upon the location and length of any seawall to be constructed, improved or repaired under the terms of this act, within such district; also whether the whole, and, if not the whole, then what part, of the cost of such construction, or improvement, or repairment thereof shall be assessed against the land increased in value by reason of the special benefits derived thereby by reason of such construction, as hereinafter provided. It shall from time to time, adopt resolutions to that effect, describing the nature, and extent of the work, the general character of the materials to be used, and the location and terminal points thereof, and shall direct that the full details, drawings, plans, specifications, and surveys of said work and estimates of quantities and costs be prepared by such engineer as may be employed as in this act provided, or the said District Board may adopt plans for such work already prepared.

Such plan may provide for the payment of all the cost of such construction, by assessment as herein provided, or it may provide for the payment by assessment of such part of the cost of construction as is not paid by the County of Mobile or the State of Alabama, or any agency thereof.

Such resolutions may set out and describe certain alternative types of construction or materials used in the construction of such seawall or seawalls, and the District Board may require advertisements for proposals on the various types enumerated, and the final selection by the District Board of the type or types and character or characters of such seawall construction, or any materials used in the construction, reconstruction, or improvement of such seawalls from among the alternatives so enumerated shall, in that event be postponed until the bids shall have been received.

Section 7. Such details, drawings, plans, specifications, surveys, and estimates shall ,when completed, be placed on file not later than two weeks prior to the date of the meeting hereinafter provided for, in the office of the Board of Revenue and Road Commissioners of said county, where property owners who may be affected by such improvement may see and examine the same at all reasonable hours, and the said District Board shall, by resolution, appoint a time when the said District Board will meet which will be not less than two weeks after the date of the first publication of said resolution, fixing the time of said meeting and designating some public place in said district where same will be held, to hear any objections or remonstrances that may be made to the said improvement or improvements, the manner of making the same, or the character of material or materials to be used, or any other matter covered by such details, drawings, plans, and specifications.

Said resolution or resolutions must be published once a week for two consecutive weeks, in some newspaper of general circulation published in said county, and by posting, for two weeks, in three public places within the limits of such district.

A copy of said resolution or resolutions shall also be sent, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for the land which may be assessed for said improvement or improvements, at their last known addresses, said notice to be so mailed not less than ten days before the meeting of the District Board hereinabove provided for.

Section 8. At said meeting, or at a place and time to which the same may be adjourned, all persons whose property may be affected by the proposed improvement or improvements may appear in person or by attorney,

or by petition, and object or protest against said improvement or improvements, the material to be used, or the alternative types of material, or any of them, from which selection is later to be made, if any, and the manner of making the same, and said District Board shall consider such objections and protests, if any, and may confirm, amend, modify, or rescind the original resolution or resolutions, and such plans and specifications, but if objection to the proposed improveemnt or improvements be made by a majority in number and acreage of the owners of land, upon or against which land an assessment may be levied under the terms of this act, the improvement or improvements shall not take place.

If, for any reason or cause, the improvement or improvements, covered by any plan adopted by the Board of District Commissioners, shall not be made, all amounts borrowed, and all expenses and costs accrued shall be paid out of the general funds of said County of Mobile, and all plans, specifications, drawings and estimates relating to such plan shall be turned over to the Board of Revenue and Road Commissioners of Mobile County, and shall be the property of Mobile County.

If the details, drawings, plans, specifications, surveys, et cetera, are, with or without modifications, approved by said Board of District Commissioners, they shall adopt a resolution to that effect, and the same shall then be known as "Plan of Improvement No. ....., Mobile County Seawall District No. 1."

Section 9. The Board of Commissioners of said district shall prepare, or cause to be prepared, a complete list of the lands in said district specially beenfited or increased in value by reason of the special benefits derived thereby from the construction of such improvement, and the name of the person or persons last assessed for state taxation for each piece, parcel, lot, tract, or other subdivision of land (according to ownership) in said district, and their last known addresses.

If such plan of improvement covers the construction of any portion of a seawall along or near the western shore of Mobile Bay, said list of land shall include all lands in said district lying west of and within 2 1-2 miles of the seawall or seawalls so constructed; and it is hereby declared that all lands within said districting lying west of such seawall so constructed will be increased in value by reason of the special benefits derived by said lands from the construction of such seawall along or near the western shore of Mobile Bay. If such plan of construction covers the construction of any part of a seawall along or near the south shore of the mainland of Mobile County, said list of land shall include all lands in said district lying north of the portion of the seawall so constructed, and it is hereby declared that all lands lying within the limits hereinabove set out will be increased in value by reason of the special benefits derived by said lands from the construction of a seawall along or near the south shore of the mainland of Mobile County, or along a portion of said south shore.

Section 10. The ent're work of constructing or improving any such seawall or seawalls, need not be done at one time, but the plan of improvement or construction if decided by the said Board of District Commissioners, may cover the construction or improvement of any seawall along anyportion of the shore hereinabove set forth, and thereafter the Board may, by a separate improvement plan, provide for the construction or improvement of a seawall or seawalls along any other port'on or portions of the shores hereinabove set forth, and each such improvement shall constitute a separate and distinct plan, and each such plan shall be proceeded with as in this act provided, or the Board of District Commissioners may, in the manner in this act provided, provide in one plan for the entire completion of a sealwall along all of the shores hereinabove set forth.

Section 11. The cost of any improvement contemplated by this act shall include the cost of organizzing the district, all uecessary or proper

expenses, and all incidental expenses, including engineering and legal fees and expenses, in conection therewith, the expense of the preliminary and other surveys, and inspection and superintendence of such work, printing and publishing of notices and resolutions required, including the notice of assessment, the cost of construction, engineering, and legal and other incidental expenses, preparing bonds, discounts on bonds, if same are sold at less than par, the cost of acquisition by purchase or condemnation of any land necessary or which, in the opinion of the Board of Commissioners of said district, may be advisable or proper, to be acquired for use in connection with the completion of such improvement and the fees and expenses incident to the making of assessments, the collection of assessments and installments thereon, the handling of funds received from the sale of bonds and the collection of assessments, and the distribution thereof.

Section 12. As soon as the Board of District Commissioners has, at such meeting hereinabove provided for, or at any adjourned meeting thereof, finally determined upon the improvement or improvements, and the nature, extent, and character thereof the Board of District Commissioners shall adopt a resolution or resolutions approving the plans, and describing the nature and extent of the work, the general character of the materials or alternate types of materials to be used, the location and terminal points thereof, and shal file a certified copy of said resolution and a copy of the plans and specifications, as finally agreed upon, with the Judge of Probate for said county.

Section 13. Thereupon, the Board of Revenue and Road Commissioners of said county shall, at its first regular, special, or adjourned term or meeting held thereafter, by order entered on the minutes of said Board of Revenue and Road Commissioners, appoint three owners of land within said district, who shall constitute the Board of Assessors for said district, A majority of said Board of Assessors shall constitute a quorum and shall control the action of the Board on all questions.

Section 14. The Chairman of said Board of Revenue and Road Commissioners of Mobile County, upon the entering of said order of appointment, shall immediately notify each of said assessors of his appointment by written or printed notice and in the same shall state the time (which shall be within thirty days from the date of such notice) and place for the first meeting of said Assessors. At such first meeting, the Board of Assessors shall organize by the election from their number of a chairman and a secretary of the Board of Assessors, and shall take the oath prescribed by the laws and Constitution of the State of Alabama, and shall also swear that they will well and truly ascertain and determine the increased value of each piece, parcel, lot, tract, or other sub-division of land (according to ownership) within said district and within the limits defined in Section 9 of this act by reason of the special benefits deirved by same from the improvements to be made in accordance with the plan approved by the Board of District Commissioners, as hereinabove provided, and, from time to time, assess against each piece, parcel, lot, tract, or other subdivision of land (according to ownership) within said district and within the limits defined in Section 9 of this act its proportionate part of the cost of such improvements, based on, and not in excess of, the increased value of such piece, parcel, lot, tract, or other sub-division of land (according to ownership) by reason of the special benefits derived by same from the said improvements, which oath shall be filed with the Judge of Probate of said county, and also be recorded in the minutes of the Board of Commissioners for said district.

If any person so appointed as assessor shall fail or refuse to take said oath within ten days, he shall be deemed to have declined to serve, and in that event, or in the event of his death or resignation, his place shall be filled by said Board of Revenue and Road Commissioners of Mobile County

appointing another person to fill the vacancy. Such appointment may be made at a regular, special or adjourned meeting of said County Commissioners in the same manner as is hereinabove provided for the original appointment of said assessors. Such Board of Assessors hall hold office until the work of assessment of benefits as hereinafter provided is completed, and shall receive as compensation for their services fifteen dollars ($15.00) per day and their reasonable expenses.

Section 15. As soon as practicable after the Board of Assessors have completed the organization of said Board, the President of the Board of Commissioners of said district shall deliver to the Chairman of the Board of Assessors a copy of the list of lands and owners prepared by the Board, as provided in Section 9 of this act, together with a copy of the plans, specifications, surveys, and details, drawings, estimates of quantities and costs prepared by the engineer of the Board and approved by the Board of Commissioners of said district and known as "The Plan of Improvement"

Section 16. The said Board of Assessors shall have power and authority to ascertain and determine the amount or extent of the increased value of each piece, parcel, lot, tract, or other subdivision of land within said district, (according to ownership) which, according to the provisions of Section 9 of this act, is subject to assessment as in this act provided, by reason of the special benefits derived by each such piece, parcel, lot tract or other subdivision of land, from the improvement to be constructed in accordance with said plan of improvement. Said Board of Assessors shall proceed to view the premises and obtain such information as in their opinion will aid them in arriving at the amount and extent of such increased value.

The Board of Assessors shall exercise their best judgment from all information in their possession or obtained by them. They shall ascertain and determine the amount or extent of the increased value of each piece, parcel, lot, tract, or other subdivision of land within the limits defined in Section 9 of this act, by reason of the special benefits derived by same from the improvements to be made in accordance with the said plan of improvement.

The Board of Assessors shall prepare a report of their findings which shall be arranged in tabular form, the columns of which shall be headed as follows:

Column No. 1: "Owner of Property;"

Column No. 2: "Description of Property."

Column No. 3: "Ascertained and Determined Amount of Increased Values by Reason of Special Benefits Derived from Improvements".

A copy of said report, signed by at least a majority of the Board of Assessors, shall be filed with the Judge of Probate of said county.

Said Board of Assessors shall report to the Treasurer of Mobile County the number of days each has been employed and the actual expenses incurred. Each member of said Board of Assessors shall be paid fifteen dollars ($15.00) per day for his services and necessary expenses in addition thereto; such sums to be paid by the Treasurer of said County out of the general funds of said county.

Section 17. As soon as the said report shall have been completed and certified and filed with the Judge of Probate, the Clerk of the Probate Court of said County shall thereupon give notice of such filing by publication once a week for two consecutive weeks in some newspaper published in said County, or of general circulation therein, which notice shall state that said report is open for inspection in the office of the Judge of Probate of said county. Said notice may be in the following form:

"Notice of filing of Board of Assessors' Report of Ascertainment of Increased Value of Land by Reason of Special Benefits Derived by Same from Construction of Improvement Covered by Plan No. ..... of Mobile County Seawall District Number One.

"Notice is hereby given to all persons interested in land located within Mobile County Seawall District Number One, that the Board of Assessors heretofore appointed to ascertain and determine the increased value of lands within such district, by reasaon of the special benefits derived by such lands from the improvements contemplated and covered by Plan of Improvement No. ..... Mobile County Seawall District Number One, and to assess against lands in said district the cost of such improvements, approved by the Board of Commissioners of said district on the ..... day of ..... 19..... have filed in this office on the .....day of..... ....., 19....., their report of the increased value of each piece,parcel, lot, tract, or other subdivision of land within said district, by reason of the special benefits derived by same from the improvements to be constructed in accordance with said Plan of Improvement No. ..... and you and each of you are hereby notified that you may examine said report and file exception or objections to all or any part thereof on or before twelve o'clock noon of the *..... day of ..... 19....., *(Here insert the date of the week day (holidays excepted) next immediately preceding the date of the meeting of the Board of Revenue and Road Commisisoners of said County hereinafter provided for.)

.....

"Clerk of Probate Court.
"Mobile County, Alabama."

A copy of said notice of the Probate Court shall also be sent by said Clerk, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for each such piece, parcel, lot, tract or other subdivision of land lying within the limits specified in Section 9 of this act, at their last known addresses such notice to be so mailed not less than ten days before the meeting of the Court of County Commissioners herein provided for.

The Board of Revenue and Road Commissioners of said County, on some date to be fixed by said Board not less than five days after the last newspaper publication of said notice shall meet for the purpose of having any errors adjusted or any wrongful or grievous ascertainment of benefits and to hear and determine any objection or defense that may be filed to any such ascertainment of benefits or the amount thereof.

The Board of Commissioners of said District, or any owner of alnd to be affected by said report, who objects to any such ascertainment of benefits, may file objection thereto at any time up to twelve o'clock noon of the week day (holidays excepted) next immediately preceding the day of such meeting; such objections shall be in writing and shall describe the property in respect of which there is objection to the ascertainment of benefits and the amount of the benefit so ascertained, and the specific objection thereto. Persons who do not file such objections or protest in writing on or before said day shall be deemed and held to have consented to such ascertainment of benefits.

Section 18. At such meeting the Board of Revenue and Road Commissioners of said county shall hear and pass upon all objections and protests filed within the time above limited agianst such ascertainment of benefits. All such exceptions shall be heard and determined by the board in a summary manner so as to carry out liberally the purposes of such improvement and the needs of the district.

The said Board may issue subpoenas for witnesses to appear before said court, and may administer oaths to such witnesses to be examined, and may adopt such reasonable rules and regulations as the said court may deem proper.

If no exceptions are filed, said Board of Revenue and Road Commissioners shall approve and confirm the report of the Board of Assessors. If exceptions or objections are filed, and if said Board of Revenue and

Road Commissioners should find that any or all such objections should be sustained, it shall change and correct the said report in accordance with the findings, entering the amount of increased value against each piece, parcel, lot, tract or other subdivision of land (according to ownership) included in said report, in accordance with its findings.

If no objections or protest is filed in the manner and within the time above limited, by the owner of any piece, parcel, lot, tract or other subdivision of land embraced within said district, such owner or owners shall be deemed and held to have consented and agreed that said piece, parcel, lot, tract, or other subdivision of land embraced within said district, will be increased in value by reason of the special benefits derived by same from the improvements covered by said plan of improvement No. ....., in the amount stated in the report of the Board of Assessors, and such report shall as to such land be final, conclusive and binding, and shall not thereafter be open to attack in any manner whatever.

The said Board of Revenue and Road Commissioners may recess or adjourn from time to time until the consideration of said report is finally completed.

Each member of the said Board of Revenue and Road Commissioners shall receive fifteen dollars ($15.00) per day for each day while attending or serving on said court in conenction with the hearing of objections to and the approval of such report, plus his reasonable expenses in traveling to and from the the County seat. Such fees and expenses shall be paid out of the general fund of said county.

When all objections have been finally determined by the said Board of Revenue and Road Commissioners, the said Board shall, by order, approve said report as corrected, and shall enter upon the Minute Book of said Board a copy of the order approving said report, and shall append at the end of said report a certificate signed by the Chairman of said Board, certifying that the said report as changed by the said Board, if any objections have been made, has been finally approved by said Board.

Thereupon said report so approved or changed and approved by the Board of Revenue and Road Commissioners of Mobile County shall be final, conclusive and binding, unless appealed from on direct appeal, as hereinafter provided, and the finding, ascertainment, and determinaiton and extent of the increased value of each piece, parcel, lot, tract, or subdivision of land within said district by reason of the special benefits derived by same from the improvements to be constructed in accordance with such plan of improvement shall not hereafter be open to question or attack by any person whomsoever, except by direct appeal as hereinafter provided, and the amount of such increased value so ascertained and determined shall form the basis of the assessment of the cost of such improvement, as hereinafter provided for.

Section 19. Any person who has filed objections to such ascertainment of benefits in the manner and within the time hereinbefore provided and who is aggrieved by the action of the said Board of Revenue and Road Commissioners in ascertaining and determining the amount and extent of the increased value of any such piece, parcel, lot, tract, or other subdivision of land within said district, by reason of the special benefits to be derived by same from the improvements to be completed in accordance with said plan of improvement, may, within thirty days thereafter, appeal to the Circuit Court of said county or any other court of like jurisdiction, by filing with the Clerk of the Circuit Court of said county within said period of thirty days, an appeal stating the matter appealed from, together with a bond with sureties to be approved by the said Clerk, in the amount of the probable costs of the appeal, payable to the Board of Commissioners of said district, and conditioned to prosecute said appeal to effect, and also if the amount of such increased value be not reduced on such appeal, to pay the

cost of such appeal, including a reasonable attorney's fee for the attorney or attorneys for the Board of Commissioners of said district.

Such appeal shall affect only the particular piece, parcel, lot, tract or other subdivision of land concerning which such appeal is taken. On such appeal, only the special matter set up in said affidavit of appeal shall be considered by said Circuit Court or other court of like jurisdiction.

The Board of Commissioners of said District, on behalf of the district, may likewise appeal from any order of the said Board of Revenue and Road Commissioners in respect of any particular piece, parcel, lot, tract, or other subdivision of land, if it feels aggrieved by such portion of the order, but in that event the said Board of Commissioners of said District shall not be required to execute any bond.

Section 20. All such appeals shall be docketed in said Circuit Court, and shall be preferred cases therein.

Section 21. Upon the filing with and the approval of the appeal bond by said Judge of Probate, the Clerk of said Board of Revenue and Road Commissioners, upon notice thereof, shall immediately send to the Clerk of said Circuit Court or other court to which the appeal may be taken a transcript of all the proceedings of the said Board of Revenue and Road Commissioners relating to such ascertainment and determination of increased value of the particular piece, parcel, lot, tract or other subdivision of land involved in such appeal. Such transcript shall contain a description of the land involved, such description to be in accordance with the description in the report of the Board of Commissioners of said District, the name of the owner or owners of such land and the amount increased value so determined.

Upon the hearing of such appeal, the introduction of such transcript and papers shall be prima facie evidence of the correctness of the findings of said Board of Revenue and Road Commissioners. Said cause or causes may be tried on the record without other pleadings and the court shall hear all objections of the land owner or owners to said findings or determination of increased value and shall determine whether or not such finding of increased value is correct, and shall render judgment accordingly, fixing and determining the amount and extent of the increased value of such piece, parcel, lot, tract, or other subdivision of land by reason of the special benefits derived or to be derived by same from the construction of the improvements embraced in the plan of improvement.

Such trial shall be had without a jury unless the person or board taking the appeal endorses on the affidavit of appeal, before or at the time said affidavit of appeal is filed with the Clerk of the Circuit Court, a demand for a jury trial, in which event the trial shall be by jury, as in common law cases.

Section 22. An appeal may be taken to the Supreme Court of Alabama by the owner of the property or by the Board of Commissioners of said district from any judgment rendered by the Circuit Court or other court of like jurisdiction, provided such appeal is taken within thirty days from the date of such judgment, upon giving bond for costs of appeal.

Section 23. Such appeal shall be heard in Supreme Court upon the record and bill of exceptions reserved by the party taking such appeal setting out such evidence as may be necessary to a fair presentation of the case, and all such appeals shall be preferred cases in the Supreme Court.

Section 24. As soon as the ascertainment or determination of the increased value of each piece, lot, tract, or other subdivision of land within such district, by reason of the special benefits derived or to be derived from the construction and completion of the improvement in accordance with the plan of improvement has been finally completed, and all appeals have been finally determined, the Board of Commissioners of said district shall advertise once a week for two successive weeks in a newspaper published

within the limits of said district, or, if there be no newspaper published within the limits of said district, a newspaper of general circulation therein, asking for bids for the construction of the improvements, or the performance of the work to be done in accordance with the plan of improvement, theretofore approved by said Board. Such notice shall describe in a general way the character and approximate quantity of such work, and the types of material, including alternates, if any, to be employed, and shall refer to a copy of the plans and specifications on file in the office of said Board and shall state the date when bids will be opened, which date shall not be sooner than two weeks, nor longer than four weeks, after the date of the first publication of said notice.

Said notice shall require that a certified check or bidder's bond for one and one-half percent (1 1-2 per cent) of the total estimated cost of the work included therein shall be filed with each proposal, and shall guarantee that the bidder will, if said work is awarded to him, execute the contract therefor at the time and in the manner hereinafter set forth.

Said notice shall reserve to the Board of Commissioners of said District the right to reject any and all bids and shall provide that if any bid is tentatively accepted, it will be so accepted upon condition that the bonds hereinafter provided to be issued are sold within a period of six months of the opening of the bids, and the certified check or bidder's bond deposited with said bid shall guarantee that the successful bidder or bidders will, upon request of the Board of Commissioners of said District, and following the sale of said bonds at any time within six months from the date of opening the bids, execute the contract or contracts for said improvements and commence the performance of the work within fifteen days after the execution of said contract or contracts.

Section 25. On the day set for the opening of bids, the Board of Commissioners of said District shall meet and shall open and consider the same. The said Board shall have the right to reject any and all bids, and may advertise for other bids, or the said Board may tentatively accept, as hereinabove provided, any proposal or proposals for the construction of such improvement covered by, or for the performance of the work to be done under the plan of improvement theretofore approved by said Board, which may be made by any person, firm, or corporation satisfactory to the said board, whether or not such person, firm, or corporation shall have filed a formal bid, at any price not in excess of the prices bid by the lowest responsible bidder filing a formal bid.

At the said meeting, or at any adjournment thereof, and as soon as the Board of Commissioners of said District shall have determined upon the type and character of materials to be used in such construction, the Board of Commissioners of said District shall fix the number of equal annual installments in which the owners of benefited land may pay the amount assessed against each piece, parcel, lot, tract, or other subdivision of land (according to ownership), if they elect so to do within the time and in the manner hereinafter provided. The number of such annual installments shall not be less than ten nor more than thirty. Such installments shall bear interest at the rate of not exceeding eight per cent per annum.

Section 26. Any contract finally executed shall be in writing, signed by the President and Secretary of said Board of Commissioners of said District. Such contract may be for either the complete construction of the work covered by the plan of improvement for a lump sum, or may be at unit prices. The work may be divided into several contracts or may be embraced in one contract. Surety bond shall be required from each contractor for the faithful performance of his contract and the completion of the work covered by his contract in accordance with the specifications, such bond to be in an amount of not less than fifty per centum (50 per centum) of the lump sum stated in said contract, if the contract be for a

lump sum, or if said contract be not for a lump sum, then for an amount not less than fifty per centum (50 per centum) of the estimated total amount to be paid such contractor for the completion of his contract.

Section 27. As soon as such proposal or proposals shall have been tentatively accepted by the Board of Commissioners of said district, the Board of Commissioners shall file with the Board of Assessors hereinbefore in this Act provided for, a written statement of the estimated cost (based upon such tentatively accepted proposal or proposals) of the construction of the improvement provided for in, and covered by, the plan of improvement theretofore approved by said Board of Commissioners of said District, including in said cost all items specified in Section 11 of this Act.

The Board of Commissioners of said District shall also deliver to the Board of Assessors a well-bound book or loose leaf book firmly bound endorse and named "Seawall District Number One of Mobile County Assessment Book for Improvement Plan No. .....". and which name shall be written or printed at the top of each page of said book, and each page thereof shall be in tabular form, the columns of which shall be headed as follows:

Column 1: Owner of Property Assessed;
Column 2: Description of Property Assessed;
Column 3: Ascertained and Determined Amount of Increased Values by Reason of Special Benefits Derived from Improvements;
Column 4: Amount of Original Assessment;
Column 5: Amount of First Supplemental Assessment:
Column 6: Amount of Second Supplemental Assessment;
Column 7: Amount of Third Supplemental Assessment;
Column 8: Amount of Total Assessment.

Such book shall also contain appropriate columns in which payments may be credited, and the lien of the assessment satisfied by the proper officer or officers of the county or district.

The Board of Commissioners, before delivering said book to the Board of Assessors shall copy in columns 1, 2, and 3, respectively, the name of the owner of the property, the description of the property, and the increased value thereof, in accordance with the final determination thereof by the Board of Assessors, and as approved by said Board of Revenue and Road Commissioners and as corrected or approved in any appeals which may have been prosecuted from the action of said Board of Revenue and Road Commissioners.

Section 28. Thereupon, the Board of Assessors shall proceed to assess against each piece, parcel, lot, tract, or other subdivision of land (according to ownership), provided, however, that each such assessment against each such piece, parcel, lot, tract, or other subdivision of land shall not exceed the amount of increased value thereof by reason of the splendid benefits derived or to be derived from the construction of such improvements as theretofore determined, as hereinbefore provided.

Interest on assessment installments, when any owner of property elects to pay any assessment or assessments in installments at the times and upon the conditions in this act provided, shall not be deemed a part of the assessment, or a part of the cost of improvement, in determining whether any assessment exceeds the increased value of the land against which the assessment is levied by reason of the special benefit derived by such land from such improvement.

The Board of Assessors shall set down in Column 4 of said book the amount of each such assessment.

In arriving at the amount to be assessed against each such piece, parcel, lot, tract, or other subdivision of land, the Board of Assessors shall assess against each such piece, parcel, tract, or other subdivision of land that proportion or percentage of the total estimated cost of improve-

ment which the increased value of that particular piece, parcel, lot, tract, or other subdivision of lands bears to the whole increased value of all land within the limits defined in Section 9 of this act, as theretofore fixed and determined, as hereinbefore provided.

No error in the name of the owner or description of land shall invalidate any assessment, if sufficient description is given to identify the land. Any error or mistake in making such assessment may be corrected at any hearing hereinafter provided for.

When the said assessments shall have been completed said book shall be signed and certified by the Chairman and Secretary of the Board of Assessors and shall be delivered to the Probate Judge of Mobile County, and the same shall be a public record.

Said Board of Assessors shall report to the Treasurer of Mobile County the number of days each has been employed and the actual expenses incurred. Each member of said Board of Assessors shall be paid fifteen dollars ($15.00) per day for his services and necessary expenses in addition thereto, such sum to be paid by the Treasurer of said Mobile County out of the general funds of said county.

Section 28-A. All assessments levied under the provisions of this act shall rank on a parity. The sale of any lands for an assessment levied under the provisions of this act shall not discharge such lands from the lien of any other assessment levied under the provisions hereof.

Section 29. As soon as the said Assessment Book shall have been completed and certified and filed with the Judge of Probate, the Clerk of the Probate Court of said county shall thereupon give notice of such filing by publication once a week for two consecutive weeks in some newspaper published within said district or of general circulation therein, which notice shall state said Assessment Book is open for inspection in the office of the Judge of Probate of said county. Said notice may be in the following form:

"Notice of Filing of Seawall District No. One of Mobile County, Alabama, assessment book for improvement plan No.....

"Notice is hereby given to all persons interested in land located within Seawall district No. One of Mobile County, Alabama, that the Board of Assessors heretofore appointed to assess against the several pieces, parcels, lots, or other subdivisions of land in said district their respective proportionate parts or shares of the cost of the improvements contemplated and to be constructed in accordance with Improvement Plan Number..... of said District, approved by the Board of Commissioners of said District on the ..... day of .....19..... have filed with the Judge of Probate of said county 'Seawall District No. One of Mobile County Assessment Book for Improvement Plan No. ....., and you and each of you are hereby notified that you may examine said Assessment Book, and file exception or objections to all or any part thereof, on or before twelve o'clock noon of the ..... day of .....19.....

(Here insert the date of the week day (holidays excepted) next immediately preceding the date of the meeting of the Board of Revenue and Road Commissioners of said County hereinafter provided for.)

.....

"Clerk of Probate Court, Mobile County, Alabama."

A copy of said notice shall also be sent by the Clerk of the Probate Court, by registered mail, postage prepaid, to the person or persons last assessed for state taxation for each such piece, parcel, lot, tract, or other subdivision of land within the limits defined in Section 9 of this act, at their last known addresses, said notice to be so mailed not less than ten days before the meeting of the Board of Revenue and Road Commissioners of said County herein provided for. The Board of Revenue and Road Commissioners of said County, on some date to be fixed by said Board, not

less tahn five days after the last newspaper publication of said notice, shall meet for the purpose of having any errors adjusted or any wrongful or grievous assessment corrected, and to hear and determine any objection and defense that may be filed to any such assessment or the amount thereof.

The Board of Commissioners of said District, or any owner of land to be affected by said assessment who objects to any such assessment or assessments may file objections thereto at any time up to 12 o'clock noon of the week day (holiday excepted) next immediately preceding the day of such meeting. Such objections shall be in writing, and shall describe the property in respect of which there is objection to the assessment, and the amount of the assessment, and the specified objection thereto. Persons who do not file such objections or protest in writing on or before said day shall be deemed and held to have consented to such assessment or assessments.

Section 30. Any property holder whose total assessment equals or exceed fifty dollars ($50.00) who desires to avail himself of the privilege of paying the amount of his assessment in the number of installments fixed by the Board of Commissioners of said district, as hereinbefore provided, shall, within two weeks after the date when said Assessment Book is delivered to the Judge of Probate of said county, as hereinabove provided, deliver to the chairman of the Board of Assessors an instrument in writing in substantially the following form:

"Board of Commissioners,

"Seawall District No. 1.

"I hereby consent to and confirm the assessment of.....dollars ($.....) against the following described land owned by me and situated in the county of Mobile, state of Alabama (here insert description of land, as described in the assessment), and hereby agree that by reason of the improvements contemplated and to be made in accordance with the improvement plan adopted by the Board of Commissioners of Seawall District Number One of Mobile County, Alabama, on the ..... day of .....19....., if said improvements are completed in substantial compliance with the plans and specifications of such improvement on file with the said Board of Commissioners of said district, said property will be increased in value by said sum, and I, for myself, my heirs, successors and assigns, in consideration of my being granted the privilege of paying said assessment in ..... equal annual installments, hereby agree to pay each installment, when the same becomes due, to the Tax Collector of Mobile County, Alabama, for the use of said District, and also agree to pay annually interest at the rate of not exceeding eight per cent per annum on the amount of the assessment remaining unpaid at the beginning of the previous year.

"This instrument shall in no way impair or affect the lien of such assessment on said property.

"(Signed) .....

(Seal).

"Witness:

.....

.....

Such instrument shall be signed by the owner or owners of the land in respect of which it is desired to have the privilege of paying such assessment in installments, and shall be witnessed by two witnesses, and shall be delivered to the President of the Board of Commissioners of said District, within the time above limited.

Such instrument shall be recorded in the office of the Judge of Probate of Mobile County, in the same manner as miscellaneous contracts respecting lands are recorded, and the recording fees shall be included in, and paid in, the same manner as other costs of construction.

Section 31. At such meeting, the Board of Revenue and Road Commissioners of said county shall hear and pass upon all objections and protests filed within the time above limited, against such proposed assessments. All such exceptions shall be heard and determined by the said Board in a summary manner so as to carry out liberally the purposes of such improvement and the needs of the district.

The said Board may issue subpoenas for witnesses to appear before said Board, and may administer oaths to such witnesses, to be examined and may adopt such reasonable rules and regulations as the said board may deem proper."

If no exceptions are filed, the said Board shall approve and confirm the assessments made in said Book of Assessments. If exceptions or objections are filed, and if the said Board should find that any or all such objections should be sustained, it shall change and correct the said book in accordance with its findings, entering the amount of assessment against each piece, parcel, lot, tract, or other subdivision of land included in said book, in accordance with its findings.

In order that the total amount of such assessments may equal the total cost of such improvements, as such cost is defined in Section 11 of this act, the said Board of Revenue and Road Commissioners may, if any assessment is reduced, increase assessments against any other pieces, parcels, lots, tracts, or other subdivisions of land within the limits defined in Section 9 hereof, provided the total sum assessed against each such piece, parcel, lot, tract, or other subdivision of land does not exceed the increased value of such piece, parcel, lot, tract, or other subdivision of land derived or to be derived by reason of such improvement, and does not exceed its improvement, and does not exceed its proportionate parts of said cost of construction.

In the event the said Board of Revenue and Road Commissioners should determine to increase any assessment above the amount originally stated in the Assessment Book delivered to the Judge of Probate as hereinbefore provided, the Judge of Probate shall before such increased assessment is made by said Board of Revenue and Road Commissioners notify the person named in said Assessment Book as the owner thereof, in writing, that the said Board of Revenue and Road Commissioners propose to increase such assessment, stating the amount of such increase, and requiring such person, within a day certain, not less than ten days after the day when such notice is mailed, to file, in writing, with the Chairman of said Board of Revenue and Road Commissioners any objections which he, she, or it may have to such proposed increase.

If no written protest to such increased assessment is filed within the time limited in said notice, such person or persons shall be held and deemed to have consented to such increased assessment or assessments.

If any such protest against such increased assessment is filed within the time limited, such protest shall be heard and determined in the same manner as protests against original assessments.

The said Board of Revenue and Road Commissioners may recess or adjourn, from time to time, until the consideration of said Assessment Book is finally completed.

Each member of said Board of Revenue and Road Commissioners shall receive fifteen dollars ($15.00) per day for each day while attending or serving on said Board in connection with the hearing of objections to, and the approval of, such Assessment Book, plus his reasonable expenses in traveling to and from the county seat. Such fees and expenses shall be paid out of the general funds of said county.

When all objections have been finally determined by the said Board of Revenue and Road Commissioners, the said Board shall, by order, approve said Assessment Book, as corrected, and shall enter upon the Minutes of

said Board a copy of the order approving said Assessment Book, and shall append at the end of said book a certificate signed by the Chairman of said Board, certifying that the said Assessment Book, as changed by the said Board, if any objections have been made, has been finally approved by said Board of Revenue and Road Commissioners of Mobile County.

Thereupon each assessment against each respective piece, parcel, lot tract or other subdivision of land shall constitute a lien upon each such respective piece, parcel, lot, tract, or other subdivision of land superior to all other liens except those of the state and county for taxes. Such order shall have all the force and effect of a judgment against the piece, parcel, lot, tract, or other subdivision of land against which the assessment is levied, and shall be deemed final, conclusive, binding, and incontestable, except by direct appeal, as in this act provided.

Section 32. Neither the Board of Revenue and Road Commissioners nor the Board of Commissioners of said District shall have power to reduce or abate an assessment made as herein provided, after such assessment shall have been made final, unless an appeal shall have been taken from such assessment, as herein provided. The Board of Commissioners of said District may transfer and assign the lien of any such assessment to the contractor or contractors, who make such improvements, or to his or its or their successors or assigns, or to any holder or to some other person as trustee for the benefit of any holder or holders of any improvemnet bonds issued as herein provided.

Section 33. Any person aggrieved by the action of the said Board of Revenue and Road Commissioners in making any assessment hereunder may, within ten days thereafter, appeal to the Circuit Court of said county, or any other court of like jurisdiction, by filing with the Clerk of the Circuit Court of said county, within said period of ten days, an affidavit of appeal, stating the special matter appealed from, together with a bond, with sureties to be approved by the Clerk of the Circuit Court, of said county, in double the amount of such assessment, and probable costs of appeal, payable to the Board of Commissioners of said district, and conditioned to prosecute said appeal to effect, and to pay the amount of such assessment as finally may be levied against the property described in the appeal, and also if such assessment be not reduced on such appeaol, the cost of such appeal including a reasonable attorneys fee for the attorney or attorneys for the Board of Commissioners of said District.

Such appeal shall affect only the particular tract or parcel of land concerning which said appeal is taken. On appeal, only the special matter set up in said affidavit of appeal shall be considered by said Circuit Court or other court of like jurisdiction. If no appeal is taken within said ten days, any such assessment fixed by said Board of Revenue and Road Commissioners shall be deemed final, conclusive, and binding upon said land, and said assessment or assessments shall not be subject to collateral attack. The Board of Commisioners of said District, on behalf of said district, may likewise appeal from any order of said Board of Revenue and Road Commissioners, if it be aggrieved, but in that event the said Board of Commissioners of said District shall not be required to execute any bond.

Section 34. Such appeals shall be docketed in said Circuit Court and shall be preferred cases therein.

Section 35. Upon the filing with and the approval of the appeal bond, the Clerk of said Board of Revenue and Road Commissioners, upon notice thereof, shall immediately send to the Clerk of said Circit Court or other court to which the appeal may be taken a transcript of all the proceedings of the Board of Revenue and Road Commissioners relating to such assessment or assessments, so far as same concerns the property of appellant. Such transcript shall contain a description of the land of such party or parties, the same to be described according to the description on the assess-

ment, the name of the owner or owners of such land and the amount of the assessment or assessments.

Upon the hearing of such appeal, introduction of such transcript and papers shall be prima facie evidence of the correctness of such assessment or assessments. Said cause or causes may be tried on the record without other pleadings and the court shall hear all objections of the land owner or owners to such assessment or assessments, and the amount or amounts thereof, and shall fix and determine the proper amount of such assessment.

Such trial shall be without a jury unless the person or Board taking the appeal shall endorse on the affidavit of appeal before or at the time said affidavit of appeal is filed with the Clerk of the Circuit Court a demand for jury trial, in which event the trial shall be by jury, as in common law cases.

Section 36. An appeal may be taken to the Supreme Court of Alabama by any person interested in said property, from the judgment rendered by the Circuit Court or other court of like jurisdiction, within thirty days from the date of such judgment, upon giving bond for costs of appeal, or, if supersedeas be desired, upon giving further bond in double the amount of the assessment so fixed by said Circuit Court or court of like jurisdiction, payable to the Board of Commissioners of said district, with sufficient sureties to be approved by the Clerk of said Circuit Court, conditioned to pay the amount of such assessment or assessments or perform such judgment as the Supreme Court may render in the premises, and all such costs and damages as the said district may have sustained, including a reasonable attorney's fee for the attorney or attorneys for said district, if the judgment is affirmed.

Section 37. Such appeal shall be heard in the Supreme Court upon the record and bill of exceptions reserved by the party taking such appeal, setting out such evidence as may be necessary to a fair presentation of the case, and all such appeals shall be preferred cases in the Supreme Court.

Section 38. In the event a supersedeas bond has been given, and the said case is affirmed by the Supreme Court, it shall add to the judgment rendered by the lower court interest thereon and ten per cent damages for delay.

Section 39. The Board of Commissioners of said district may appeal, also, from any decree of said Circuit Court or other court of like jurisdiction, without giving bond, and all appeals taken pursuant to this act shall be preferred cases in the Supreme Court.

Section 40. In the event final judgment is rendered in favor of the said district, execution may be issued thereon against the principal and sureties on the appeal bond, unless the amount of the judgment and decree, together with interest thereon and all court costs, are paid within five days from the date of such judgment, and the court shall, by further order, decree that the property assessed be sold to satisfy such judgment unless such payment first be made. Nothing contained in this act shall operate to release or discharge the lien on such property unless and until the assessment, plus interest thereon and all court costs, are fully paid.

Section 41. All assessments made in accordance with the terms of this act shall be paid in cash within thirty days after the final assessment, unless the owner of such property shall have elected to pay same in installments at the time and in the manner and upon the conditions set out in Section 30 of this act.

Section 42. All assessments or installments thereof shall be payable at the office of the tax collector of Mobile County, and all assessments and installments thereof shall bear interest at seven per cen per annum after the expiration of thirty days from the date on which same is made final, which interest shall be due and payable at the time and place the assess-

ment or installment is due and payable. In all cases where the property owner, having elected to pay in installments, fails to pay the first installment within thirty days from the date of assessment, he shall be held to have waived the right to pay in installments, and the entire assessment shall, at the expiration of said thirty days, become due and payable.

Section 43. If the property owner who has not elected to pay in installments fails to pay his assessment or assessments within thirty days, or, having elected to pay in instalments, fails to pay the first installment within thirty days from the date of such assessment or assessments, or makes default in the payment of any annual installment, or the interest thereon, the whole of such assessment or assessments, with interest thereon to original maturity thereof, shall immediately become due and payable and the tax collector of Mobile County shall proceed to sell the property against which such assessment or assessments is or are made to the highest bidder for cash, but he shall first give notice by publication once a week for three consecutive weeks, in some newspaper published in the district or of general circulation therein, of the date, place, and time of such sale and the purpose for which the same is made, together with a description of the property to be sold.

If said officer shall fail to advertise and sell any property on which payments or installments are past due, any owner of property in said district, or any holder of bonds of the series affected by such failure, whether of bonds theretofore issued or thereafter issued, shall have the right to apply for a writ of mandamus, requiring said official to take such action to any court of competent jurisdiction, and said court shall, on proof, issue and enforce such writ.

Section 44. Any property owner may pay said assessment or assessments, with interest and all costs, at any time before the sale of the property affected thereby.

Section 45. The cost of such advertisement and sale shall constitute a charge against said property to be sold, and shall be retained out of the proceeds of sale by said officer incurring said expense.

Section 46. The officer making such sale shall execute a deed to the purchaser, which shall convey all the right, title, and interest which the party against whose proyperty the assessment was made had or held in said property at the date of making such assessment or on the date of making such sale. Any surplus arising from such sale shall be paid over to the county treasurer, or to the county depository, if there be no treasurer, to be kept as a separate fund for the assessed owner of the property, or his assigns, upon the responsibility of the official bond of such treasurer or county depository. The district may, by its agent, purchase real property sold as provided herein, and in the event of such purchas,e the deed for the same shall be made to the district in its corporate name.

No bid shall be accepted with respect to any piece, parcel, lot, or other subdivision of land which is not equal to the total of all assessments levied against same, and costs.

In the event no bidder at such sale bids for any piece, parcel, lot, or other subdivision of land an amount equal to the amount of the assessment levied against same, and costs, then it shall be struck off to Seawall District No. 1 of Mobile County, Alabama, and the Board of Commissioners of said district shall have power, at any time thereafter, to sell such picee, parcel, lot, or other subdivision of land, at public or private sale for the sum equal to the amount of assessments levied against same, costs and interest.

Section 47. Such property may be redeemed by the owner or his assigns, or other persons authorized to redeem property sold for taxes in the state of Alabama, within two years from the date of sale, by paying to the purchaser or to the county treasurer, or county depository, if there be no treasurer, for him, the amount for which the property was sold, with

interest thereon at the rate of fifteen per centum per annum from the date of sale, together with a fee of two dollars ($2.00) for the expense of a conveyance.

Section 48. No mistake in said publication of the description of such property or in the name of the owner or owners shall vitiate such assessment or assessments, or such lien, and if, for any reason, the sale made for failure to pay such assessment or any sum due thereon be ineffectual to pass such title as such sale could otherwise lawfully pass, it shall operate as an assignment of such lien, and upon the request of the purchaser or purchasers, supplementary proceedings of the same general character as herein prescribed may be had to correct such error or errors in said poceedings for his or their benefit, or such lien so assigned to him or them may be enforced in equity.

Section 49. Neither the failure of any officer or persons charged by this bill with the duty to mail any notice, nor the failure of any person to receive said notice, shall in any manner affect the validity of any proceeding authorized in this act.

Section 50. It shall be the duty of the tax collector of said county to collect the assessments or the installments thereof, if payable in installments as and when the same become due, together with interest thereon. If any such assessment (if not payable in installments) or any such installment remains unpaid when the owner or owners of such property offers or offer to pay state and county taxes on said property, and if any collector shall fail, when collecting such state and county taxes, to collect such seawall assessment installment or installments past due at that date, along with the state and county taxes, he shall be subject to a penalty of one hundred dollars ($100.00) for each such instance, unless such seawall assessment has been enjoined by a court of competent jurisdiction.

The tax collector of said county shall receive a commission of one per cent for his services in making such collection, and for his service in selling property to enforce the lien of such assessment, he shall be allowed the same fees as are allowed by law for the sale of property for state and county taxes.

On the tenth of each month, the county tax collector shall turn over to the treasurer of said Board of Commissioners of said district the amount collected by him during the previous month on account of assessments or installments levied and collected in accordance with the terms of this act, less the amount of his fees and commissions, as herein provided. He shall, at the same time, deliver to the treasurer of said Board of Commissioners of said District a statement showing the persons and the property in respect of which such collections have been made, and a statement of all fees and commissions so deducted by him. When any assessment or installment thereon is paid to him, he shall enter the fact of such payment on the Assessment Book. He shall keep among the records of his office a well bound book which shall contain an account of all of his collection, fees, any payments to the treasurer of said district. Said book shall be a public record, open to inspection at all times.

The tax collector shall be liable on his official bond or bonds for any misappropriation or loss of the funds collected by him in respect of such assessments or installments or sale of property to enforce such assessments.

Section 51. The treasurer of said Board of Commissioners of said District shall be allowed a commission not exceeding one-half of one per cent upon all sums lawfully paid out by him, in accordance with the orders of the Board of Commissioners of said District, but he shall pay out no money save upon an order of the said Board and upon a warrant signed by the president and secretary of the Board of Commissioners of said District. Every warrant so paid shall state upon its face to whom paid,

the amount of same, and the purpose for which same was paid. All warrants shall be dated and numbered consecutively in the record to be kept by the Board of Commissioners of said District of the number and amount of such warrants so used, and no warrant shall be paid by the treasurer unless there is in hand sufficient funds to pay all outstanding warrants bearing a lower number. The treasurer shall give bond or bonds in the sum of fifty thousand dollars ($50,000.00) payable to the Board of Commissioners of said District, and conditioned on the faithful performance of his duties as such treasurer, and upon efficiently keeping and disbursing the funds which may come into his hands. The premiums upon said bond or bonds shall be paid out of the funds derived from the special assessments in this act provided for, and shall be part of the cost of such improvemenf or improvements made during the term covered by such premium.

Section 52. If the assessments first levied shall prove insufficient to complete the improvement or improvements, additional assessments shall be levied in the same manner as is herein provided for the initial assessment, provided, however, that the total assessments shall in no case exceed the increased value of the parcel of land against which such assessments is made by reason of the special benefits derived or to be derived from such improvement or improvements, as such increased value is determined and fixed in this act provided.

Section 53. As soon as assessments covering the estimated cost of any improvement have been made final, as in this act provided, the Board of Commissioners of said District may issue and sell bonds for such an amount as may be necessary to pay the cost of such improvement or improvements, as such cost is defined in Section 11 of this act.

Section 54. The bonds issued under the provisions of this act shall be payable at such place or places as the Board of Commissioners of said District may designate. They shall run serially over a period of years corresponding in number with the number of equal annual installments which the Commissioners may have theretofore, as hereinabove provided, determined that the assessments of the cost of said improvement may be paid by election of the property owner, as hereinafter provided.

The serial installments shall be approximately equal in amount and the maximum amount of bonds maturing in any one year shall not exceed the minimum amount of such bonds maturing in any one year by more than one thousand dollars, provided that if the amount of bonds in any one issue exceeds one hundred thousand dollars, the said maximum amount of bonds maturing in any one year shall not exceed the minimum amount maturing in any one year by more than five thousand dollars. Such bonds shall bear interest at the rate of not exceeding seven percentum per annum, payable semi-annually.

Section 55. Bonds issued under this act may be issued either in registered or coupon form. If they are coupon bonds, they may be registerable either as to principal or as to both principal and interest. The Board of Commissioners of said District may appoint a bank or trust company as registrar or transfer agent, and provide for the registration or transfer of bonds by such transfer agent.

Section 56. The Board of Commissioners of said District may provide by resolution ordering the construction of any improvements, or by subsequent resolution or order, that the bonds issued or to be thereafter issued, to pay for such improvement or improvements may, upon the completion and acceptance of such work, be issued to the contractor or contractors in payment of part payment of the contract price of such work.

Section 57. No bonds issued under the authority of this act shall be sold until they have been first offered at public sale. Notice of such sale shall be given by publication once a week for two consecutive weeks in a newspaper published in the district, if there is a newspaper published in

such district, and, if not, in a newspaper having general circulation therein. The first newspaper notice shall appear not less than ten days prior to the date of sale. The notice shall contain a statement of the amount of bonds to be sold ,the maximum rate of interest they are to bear, the date of maturity of the bonds, and the time and place of sale. Sealed proposals shall be received and opened at a public meeting, but the Board of Commissioners of said District may, after reecipt of sealed proposals reject all bids. The Board of Commissioners of said District shall have the right to reject any and all bids. If no bids satisfactory to the Board of Commissioners of said District be reecived, the bonds may be sold at private sale, but no such private sale may be made at a price less than the highest bid reecived and offered at public sale.

The Board of Commissioners of said District may delegate its power to sell bonds to a committee of not less than two members of said Board, but every private sale of bonds shall be made and confirmed by a majority of the members of said Board, at a regular meeting or special meeting called for that purpose, after due notice is given.

Any bidder for bonds or other securties may name in his bid a lower interest rate than that fixed in the advertisement, and the Board of Commissioners of said District, upon acceptance of such a bid, may issue bonds in accordance therewith.

In determining the highest bidder for bonds offered for sale, the net interest cost to the district, as shown in standard bond value tables, shall govern. The finding of the Board as to highest bidder shall be final, conclusive, and binding upon all persons whomsoever.

Any bonds reciting that they are issued pursuant to this act shall, in any action or proceeding involving their validity, be conclusively deemed to be fully authorized by this act, and to have been issued, sold, executed, and delivered in conformity herewith, and with all other provisions of statutes applicable thereto, and shall be incontestable, anything herein or in other statutes to the contrary notwithstanding, unless such action or proceeding is begun within thirty days after the date of the bond resolution provided for in the next section of this act, if they are sold at public sale, or, if sold at private sale, within thirty days after the publication of the resolution authorizing the sale of said bonds at private sale; or, if delivered to the contractor or contractors in payment of work within thirty days after the publication of the resolution or resolutions authorizing the delivery of such bonds to the contractor or contractors in payment of work. All resolutions authorizing the sale of bonds at private sale, and all resolutions authorizing the issuance and delivery of bonds to a contractor or contractors in payment of work shall be published once in a newspaper published within said county having general circulation in said District.

Section 58. All bonds issued under the terms of this act shall be authorized by resolution or resolutions passed by the vote of majority of the Board of Commissioners of said District. Such resolutions shall set out the form of the bond or bonds to be issued, and shall also state:

(a) In brief and general terms, the purpose or purposes of the bond issue:

(b) The maximum amount of money to be raised by the issue;

(c) The maximum rate of interest the bonds shall bear;

(d) The number of installments in which the bonds shall mature, which must not exceed the installments hereinbefore set forth.

A copy of such resolutions shall be published once in a newspaper published in the county, of general circulation in said District.

Section 59. As soon as said bonds have been sold, the Board of Commissioners of said District shall notify the bidder or bidders whose bids have been tentatively accepted of the fact that said bonds have been sold and the contractor or contractors shall thereupon execute the contract for

said improvements and proceed with the work covered thereby. If and in the event said bonds are, by resolution or order of said Board, to be delivered to the contractor or contractors in payment of work, such contractor or contractors shall proceed with the work immediately upon the expiration of thirty days after the publication of the resolution or resolutions authorizing the delivery of such bonds to the contractor or contractors in payment for work.

Section 60. When the Board of Commissioners of said District receive any funds whether from proceeds of sale of bonds, collection of assessments, or otherwise, they shall deposit such fund in such solvent bank or banks as will pay the highest rate of interest thereon on current deposits. Before designating such a depository or depositories or bank, the Board of Commissioners of said District shall report the selection of such bank or banks as depositories to the Board of Revenue and Road Commissioners, and the selection shall be approved in writing by the Board of Revenue and Road Commissioners, and said order shall be duly entered on the records of the Board of Revenue and Road Commissioners. Warrants may be drawn on such bank, and all warrants so drawn shal be signed by the president and treasurer of the Board of Commissioners of said District.

Section 61. The proceeds from the sale of bonds authorized to be issued by this act shall be applied only to the payment of the cost of the improvement designated in the resolution or resolutions providing for their issuance.

Section 62. The treasurer of said Board of Commissioners of said District shall be liable on his official bond for any diversion of any funds received by him as proceeds from any sale of bonds to any purpose other than to the payment of the cost of improvement or improvements, as in this act provided, and the county tax collector and the treasurer shall be liable on their respective official bonds to any holder of the bonds authorized to be issued under this act from any loss or injury to such bond-holder caused by the diversion by said respective officers, or either of them, respectively, or any money received from the collection of assessments, penalties, and interest (after deducting the fees herein provided) to any other purpose than the payment of the bonds and interest coupons, and other indebtedness herein authorized to be paid out of said funds.

Section 63. The moneys collected on account of assessments, penalties, and interest shall be applied:

First, to the payment of the interest on the then outstanding bonds issued in respect of such assessments;

Second, to the payment of the annual installment of bonds then due.

Section 64. In the event the amount collected from the assessments under any improvement resolution or resolutions shall exceed the total cost and expense of such improvement or improvements, there shall be refunded to each of the parties affected by said assessment or assessments a proportionate amount of the excess on demand made therefor after maturity or payment of the bonds authorized by this act. If such claims be not presented within twelve months from the date of the maturity or payment of the last installment of such bonds, they shall be forever barred, and such amounts shall be converted to the general improvement fund of the said district.

Section 65. Whenever, in the judgment of the Board of Commissioners of said District, it may be necessary or expedient for the carrying out and full exercise of the powers hereby granted, such Board may acquire, by purchase or condemnation, the necessary lands, or rights or easements or interest therein, thereunder, and thereover, and may proceed to condemn the same in the manner provided by the general laws of this state governing the taking of lands or the acquiring of an interest therein for the uses for which private property may be taken, in which case such proceedings

shall be governed in every respect by the general laws of the state pertaining thereto.

Section 66. If any bond or interest coupon, or other negotiable evidence of debt issued by the Board of Commissioners of said District, is not paid within thirty days after maturity, it shall be the duty of any Circuit Court having application of any holder of such bond or bonds, or interest coupon or coupons, or other negotiable evidence of debt so everdue to appoint a receiver to collect the assessments aforesaid, and if there be a deficit, the Court may provide for and make additional assessments after due hearing, against the land within the limits defined in Section 9 hereof, in an amount sufficient to make up such deficit, provided, however, that each such assessment, together with the prior assessments, shall not exceed the increased value of such land by reason of the special benefits derived by same from and by reason of such improvement. The proceeds of all such assessments and collections shall be applied, after the payment of costs of such proceedings, first to the overdue interest, and then to the payment pro rata of all bonds issued by the said Board of Commissioners of said District which are then due and payable. The said reeciver may be directed by such court to foreclose the lien of assessment on any or all of said property, and any suit so brought by a reeciver shall be conducted in all matters as a suit by the Board of Commissioners of said District, and with like effect, and decrees and deeds therein shall have full force and effect, provided, however, that when all sums of money due on said bonds and coupons and other evidences of debt have been fully paid, the receiver shall be discharged, and the affairs of the district shall thereafter be conducted by the Board of Commissioners of said District.

Section 67. Annually during the month of September, the Board of Commissioners of said District shall file with the clerk of the Board of Revenue and Road Commissioners of said county a statement showing the collection made and moneys received from all sources whatsoever, the amount paid out, with proper vouchers for such payments, and such statement shall lie over for one month from the date of filing for examination and adjustment. The Board of Revenue and Road Commissioners of said county shall proceed to examine such statement at its first regular, special, or adjourned meeting after the expiration of one month from the date of said filing, and shall disallow all unjust charges and credits, if any there be, and readjust said settlement whenever an improper item appears in said settlement and such adjustment may be finally subject to a re-examination in a court of equity for error, mistake or fraud upon suit brought by the Board of Commissioners of said District, or by any tax payer of such district, or anyone else having a pecuniary interest therein. All settlements, when finally approved, shall be indexed by the clerk of the Board of Revenue and Road Commissioners and filed away as public documents.

Section 68. No commissioners or assessors shall be liable to any one for mistake or errors of judgment or negligence, but only for willful misconduct in the discharge of their duties.

Section 69. It shall be unlawful for the Board of Commissioners of said District formed under authority of this act or any officer, agent, or employee thereof corruptly to use, dispose of in any manner any bond or money arising from the sale thereof, or any fund of such district, and any commissioners, employees, or agent, whomsoever, violating the provisions of this act, as herein enumerated, shall be guilty of a felony and punished by imprisonment in the state penitentiary not less than one nor more than five years. That every member of such Board of Commissioners of said District who shall fail to make the settlement or settlements as required by the terms of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed five hundred dollars

($500.00), and in addition thereto, may be imprisoned for a period not to exceed sixty (60) days.

Section 70. As soon as bonds have been sold to provide funds for the payment of the cost of any improvement, the treasurer of said Board of Commissioners of said District shall reimburse the general fund of the County of Mobile for all fees and expenses actually paid out of said general fund under the provisions of this act, and such sum shall be included in the cost of such particular improvement.

Section 71. The various officers of the county shall receive for services for which fees are not specially provided in this act the same fees as are received for similar services performed for the state or county, and said fees shall be paid out of the general revenues of said county.

Section 72. If any sentence, clause, or section of this act shall be held unconstitutional, this shall not affect any other section of this act, it being the intention of the Legislature in enacting this law to enact each section separately.

Section 73. All laws or parts of laws, general or local, in conflict with this act, are hereby repealed, insofar as the same affect the operation of this act. This act shall take effect upon passage and approval by the Governor.

STATE OF ALABAMA,
Mobile County, City of Mobile.

Before me, Nettie Chandler, a Notary Public in and for said State and County, this day personally appeared J. C. Ballentyne, who is known to me, and who, being by me first duly sworn, deposes and says that he is Auditor of the Mobile Register Co., Inc., publishers of the Mobile Register, a newspaper publisher in said State, County, and City, and that the attached notice of intention to apply for passage of local law to authorize Mobile County to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads, et cetera, was published in said newspaper once a week for four consecutive weeks, appearing in the issues of June 24, July 1, 8, and 15, A. D. 1927.

J. C. Ballentyne,
Auditor.

Subscribed and sworn to before me on this, the 15th day of July, 1927.

Nettie Chandler,
(Seal) Notary Public, Mobile County, Alabama.

By Mr. Justice:

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

Public Health.

REPORTS OF COMMITTEES

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organization reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Deloney (With N. & P.):

H. 347. To vacate and abandon a certain described portion of a certain street in the City of Sheffield, County of Colbert, and State of Alabama.

By Mr. Deloney (With N. and P.):

H. 346. To vacate and abandon certain described portions of certain street avenues and alleys, in the City of Sheffield, County of Colbert, and State of Alabama.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 337. To provide for the manner of selecting the County Superintendent of Education of Tuscaloosa County, Alabama; to fix his qualifications; his term of office and salary.

S. 196. To provide for and regulate further the care, support and maintenance of the poor and paupers of the several counties of the State of Alabama.

S. 334. To make it the duty of the Clerk of the Circuit Court of Lamar County, Alabama, as Ex-officio Clerk of the County Court, to record the proceedings and write up the minutes of the County Court and to provide for compensation of the same.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 113. To amend Section 8588 of the Code of Alabama.

Also:

S. 292. To provide for the relief of L. W. Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A. McKay, W. C. Barefield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitsgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Wee, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitsgerald, R. L. Andrews, A. L. Howell, Ab DeLoney, Parker and Flowers, P. A. Clark, W. H DeLoney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell,

C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Molcomb Byrd, M. W. Redd, Welsey Gillian, J. C. Spears, Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson, Ned Byrd, W. A. Bloodworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. DeLoney, Henry DeLoney, Melvin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler John Woodall, Ewell Byrd, Seaborn Bowman, Barney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Byrter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McDonald, Will McSwean, Bud Snell, M. C. Williford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nichlson, Oscar DeLoney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jas. F. Waters, A. V. Curenton, L. P. Curenton, E. L. Stokes, J. H. Hughes, A. C. Hughes, Dody Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sullivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Wigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thom. Watford, Lige Cotton, Bud Wilson, Lester Thompson, J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sulivon, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, L. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker, Lonie Baker, Oscar Brooks, Wesley Shiran, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, Arnie Sauls, M. F. Sauls, J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, D. W. Jacobs, Huey Bacherlor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin, S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parks, C. A. Davis,

A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Halford, B. Q.; Albert Whitlock, Berry Simmons, Will Campbell, Giff Bradley, Foreman Lucus, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. A. Wesson, Geo. Overstreet, W. H. Senn, A. C. Hollis, J. S. Brooks Henry Condry, A. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugerbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. G. Chapman, W. M. Goodson, Henry Wilson, Joe Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dasinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith, W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum, R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis, I. A. Snell, J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stucky, Henry Horn, D. M. Woods, C. W. Roberts, R. W .Sanders, D. C. Peebles, Waymon Tullis, A. F. Davis, Monk Underwood, M. F. Wemms, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Reynolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gimore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Abry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston, L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D. P. Mixsom, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Barrow, Mixsom Searcy, R. J. Davis, R. T. Stuckey, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards, Graey Gassett, Pate Gassett, Charlie Searcy, Cullen Whigham, Lewe Powell, Tom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Parramore, G. A. Tyler, G. L. Tyler, J. B. Philips, Fate Wilson, Nance Wilson, J. C. Kenner, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen,

H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jess Baker, Johnie Truett, William Crawford, John Ingram, Jewe Sumers, Ad Moore, J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Early B. Kirklan, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. L. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

Also:

S. 329. To authorize the Town Council of the Town of Vincent, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

Also:

S. 197. To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

Also:

S. 291. To provide for the payment of the fees of State witnesses in criminal cases in Dale County, Alabama.

Also:

S. 166. To allow the sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Golson:

H. 282. To amend Article 5, Chapter 144, Sections 4158, 4159 and 4160 of the Code of 1923.

Also:

By Mr. Tunstall:

H. 781. To make appropriation for the ordinary expenses of the State, and for interest on the public debt.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. 282. To the Committee on Judiciary.

H. 781. To the Committee on Finance and Taxation.

REPORT FROM RULES COMMITTEE

Mr. Brown, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report with amendment to-wit:

H. J. R. 93. Relative to appointment of a joint committee to make a careful and thorough investigation of the increased income under the new revenue bill and report to the House and the Senate.

Said Committee substitute being as follows:

"Resolved by the House, the Senate concurring, that the State Tax Commission be requested to make a careful and thorough investigation of the increased income to the State under the provisions of the new Revenue Bill and make report thereof to the House and Senate at the earliest practical moment."

Mr. Teasley moved that said substitute be laid upon the table, which motion was lost.

Yeas, 8; Nays, 17.

Yeas:
Messrs:

Ellis of Dallas	James	Stanley	Warren
Jack	Oliver	Teasley	Williams

—8

Nays:
Messrs:

Brown	Ellis of Shelby	Jones	Nixon
Caffey	Fite	Justice	Stokes
Carlton	Hall	Loflin	Thompson
Cowan	Holmes	Mitchell	Young
Craft			

—17

The question then recurred on the adoption of the Committee Substitute and said substitute was adopted.

And said resolution, as thus amended, was then concurred in and adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 119. To authorize the Board of Revenue of Barbour County, to grant relief to John B. Laseter, former sheriff of Barbour County, as to certain claims held by him against the fine and forfeiture fund of Barbour County.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas, 75; Nays, 0.

And said bill as amended by the amendment proposed by the Governor was again read a third time, at length, and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 75; Nays, 0.

And said bill, together with the Governor's Message is returned herewith.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills.

By Mr. Vickers:

H. 629. A Bill to be entitled An Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the City of Mobile, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, to levy and collect annually an additional tax on the property situated therein, for general municipal purposes, not to exceed that portion of the three-fourths of one per centum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, provided that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized thereby; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 1. Be it enacted by the Legislature of Alabama that the following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified voters of the state upon such proposed amendment, to be held on the second Tuesday after the expiration of three months after the date of the final adjournment of the present Legislature, at which said amendment shall be voted upon. The proposed amendment is as follows:

"The City of Mobile, Alabama, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, may levy and collect annually an additional tax on the property situated therein for general municipal purposes, not to exceed that portion of the three-fourths of one per centum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt; provided, that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized hereby."

Section 2. It is ordered by the Legislature that an election by the qualified electors of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the state for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

Also:

By Mr. Denson:

H. 539. A Bill to be entitled an Act to provide and submit to the qualified electors of the State of Alabama at an election to be held at the next general election after the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed

amendment and the day appointed for such election is at the next general election after the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. That at the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following: "Shall the following proposed amendment be adopted?"

Also:

By Mr. Rogers:

H. 379. A Bill to be entitled An Act to provide and submit to the qualified electors of the State of Alabama, at an election to be held at the next general election at which this amendment is proposed, an amendment to the Constitution of the State of Alabama whereby the municipal corporation of Citronelle, in the State of Alabama, may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or a special election called for that purpose, become indebted in an amount, over and above its present authorized indebtedness, not exceeding four per centum of the assessed value of the property therein.

Be it enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and action at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature. The proposed amendment is as follows:

The town of Citronelle may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or special election called for that purpose, become indebted in an amount,

over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto, to incur, not exceeding four per centum of the assessed value of the property therein. In calculating the indebtedness of said town, there shall not be included any classes of indebtedness which are not included in other provisions of the Constitution limiting the indebtedness of said town. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For an increase of the indebtedness of the town of Citronelle, in the sum of $....." and "Against an increase of the indebtedness of the town of Citronelle, in the sum of $....." The amount of increased indebtedness proposed shall be shown in the blank space provided therefor. And the voter shall record his choice, whether for or against the increase in indebtedness of the town of Citronelle, by placing a cross-mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the incurring of such adidtional indebtedness may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to determine whether there shall be an increase in the indebtedness of the municipality, in a certain amount, and such proposition is defeated, no second election for the same purpose and submitting a proposition of increasing the indebtedness of said town in the same amount shall be held in one year thereafter.

Section 2. That notice of the election hereby ordered, together with a copy of the amendment hereby proposed shall be given by a proclamation of the Governor, which shall be published in one newspaper in each county in the State once a week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of said notices shall be paid out of the State Treasury in the same manner as expenses of other elections are paid.

By Mr. Martin

H. 455. For the relief of David W. W. Fuller of Montgomery county for special services rendered said county.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be made to the present Legislation of Alabama for the passage of an act for the relief of David W. W. Fuller for special services rendered to the county of Montgomery.

State of Alabama,
County of Montgomery.

Before me, E. E. Stantz, a Notary Public, in and for said State and County, personally appeared J. B. Stern, who being duly sworn says on oath, that he is publisher of the Times Publishing Company, which publishes The Times in Montgomery, Alabama, and that the attached was published on the following dates: Feb. 26, March 5, 12, 19, 1927.

Notice is hereby given that application will be made to the present Legislature of Alabama for the passage of an Act for the relief of David W. W. Fuller, for special services rendered to the County of Montgomery.

Times Pub. Co.,
By J. B. Stern.

Sworn to and subscribed before me this 18th day of May, 1927.
(Seal) E. E. Stantz,
Notary Public, Montgomery County, Alabama.

By Mr. Vickers:

H. 625. To provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced at the present adourned session of the Legislature of Alabama to be held in June, 1927, in substance as follows:

An Act to provide detention homes for Juvenile delinquents in Mobile County including the appointment of officers and the fixing of their salaries and the maintenance thereof.

Be it enacted by the Legislature of Alabama:

First: It is hereby made the duty of the board of revenue and road commissioners of Mobile County to provide detention homes for boys and girls who are being detained for trial before the juvenile court of Mobile county or held under commitment from said court or to contract with some incorporated society or association within said county for the maintenance of such homes.

Second: There shall be appointed by and hold office at the will of the county if the homes are conducted by the county or by the society or association if conducted by a society, or association, for the care of said homes, a superintendent and matron and such other employees as may be provided by the County for the care of said homes, and all salaries of the employees of said homes shall be fixed and paid by the board of revenue and road commissioners of Mobile county.

Third: The salaries and the expenses and maintenance of said homes shall be provided as set forth in the Act, approved August 9, 1919, on page 58 of the local Acts of 1919, governing the payment of the juvenile court and the home of the juvenile delinquents by the city and county of Mobile.

Fourth: That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

STATE OF ALABAMA,
County of Mobile.

Personally appeared before me, a Notary Public, in and for said State and County, Mrs. C. W. Thomas, who being by me first duly sworn, deposes and says, that she is Editor of The Citronelle Call, a newspaper published in Mobile County, Alabama, and which is a weekly newspaper; that the notice, a copy of which is hereto attached, was inserted in said The Cit-

ronelle Call, and has been published in four consecutive weekly issues thereof, to-wit: April 29, May 6, May 13 and May 20, 1927. The said notice was published without cost to the State.

Mrs. C. W. Thomas,

Sworn to and subscribed before me, this 3rd day of June, 1927.

(Seal) Jas. S. Lynch,
Notary Public, Mobile County, Alabama.

Also:

By Mr. Ware:

H. 637. To further prescribe the times of elections and terms of office of the County Commissioners of Randolph County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED LOCAL LEGISLATION

The following bill will be introduced at the 1927 session of the Legislature of Alabama:

A Bill to be entitled an Act to further prescribe times of elections and terms of office of the county commissioners of Randolph County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this Act, the times of election of the County Commissioners of Randolph County, Alabama, shall be every two years on the dates provided by law for the general election in the several counties of the State of Alabama; provided that at the next general election to be held in said state and county the term of office of the two candidates standing for such election receiving the highest number of votes cast at such general election shall be for four years and the term of office of the two candidates standing for such election receiving the next highest number of votes at such general election, shall be for two years; provided that in case of a tie vote, or the candidates at such election receiving the same number of votes, such candidates shall draw lots for the long and short term. That thereafter two county commissioners for said county shall be elected every two years, whose term of office shall be four years.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

STATE OF ALABAMA,

Randolph County.

Before me, P. A. Hurst, a Notary Public in and for said State and County, personally appeared O. H. Stevenson, being by me first duly sworn, deposes and says on oath that he is editor and publisher of the Roanoke Leader, a newspaper published in Randolph County, Alabama; that a bill to further provide for the election and term of office of the members of the Commissioners' Court of Randolph County, Alabama, a copy of which bill is hereto attached and made a part hereof, was published in full in said newspaper on the following dates, to-wit:

The 11th day of May, 1927.
The 18th day of May, 1927.
The 25th day of May, 1927.
The 1st day of June, 1927.

O. H. Stevenson,
Pub. Roanoke Leader.

Sworn to and subscribed before me on this 20th day of June, 1927.

P. A. Hurst,
(Seal) Notary Public.

Also:

By Mr. Morrow:

H. 558. To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factory for the manufacture and storage of powder dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE ¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following local bill:

A BILL

To be entitled an Act To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factory for the manufacture and storage of powder, dynamite, nitroglycerine, gun cotton, gelatin, and any and alll other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other thing which may be necessary or convenient in the construction, maintenance or operation of such plant or fatory upon any or all of the following desribed property: The Southwest quarter (SW ¼), the west half of the Southeast quarter (W½ of SE ¼), the Southwest quarter of the Northwest quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW ¼) of Section Thirteen)13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE ¼ of NE ¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W. ½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

That the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees, and assigns, to

build, maintain and operate a plant or factory for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W. ½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE ¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range five (5) West, Jefferson County, Alabama, is hereby ratified and confirmed.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said State and County, personally appeared before me Howe Price, who being first duly sworn on oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January ,1927.

Howe Price.

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P. Smith,
Notary Public.

Also:

By Mr. Morrow:

H. 559. To grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South-half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-Four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following local bill:

A BILL

To be entitled an Act to grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE ¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

Be it enacted by the Legislature of Alabama:

That the right or franchise is hereby granted to Hercules Powder Company, its successors, licensees, lessees and assigns to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW ¼ of NE ¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE ¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said State and County, personally appeared before me Howe Price, who being first duly sworn on oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January, 1927.

Howe Price,

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P. Smith,
Notary Public.

Also:

By Mr. Jordan of Washington:

H. 672. To repeal an Act entitled: An Act to provide for the Election of a County Superintendent of Education for Washington County, Alabama, to fix his term of Office, to prescribe his Salary, and the Manner of Payment, to Define his Qualifications, Powers and Duties, to Provide for the Election of his Successor in Office, approved September 14, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a local bill will be introduced in the adjourned session of the Legislature of Alabama for 1927 to repeal a local Act of the Legislature of 1923, entitled, "An Act To Provide for the election of a County Superintendent of Education for Washington county, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for the election of his successor in office."

STATE OF ALABAMA,
Washington County.

I, Joe M. Pelham, Jr., Publisher of the Washington County News, a newspaper published at Chatom, Washington County, Alabama, do hereby certify that a copy of the notice to provide for election of County Superintendent of Education as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 26, 1927, and ending with the issued dated June 16, 1927. I further certify that I have the right and authority to make this affidavit.

Joe M. Pelham, Jr.,

Sworn to and subscribed before me on this, the 17th day of June, 1927.

Helen Smith,
Notary Public.

Also:

By Mr. Morrow:

H. 557. To vacate all public roads, trails, paths, highways and passageways, into, through, over, on or across the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23), the Southwest quarter (SW¼), the South half of the Northwest quarter (S½ of NW¼), the Southwest quarter of the Northeast quarter (SE¼ of NE¼) and the West half of the Southeast quarter (W½ of SE¼) of Section Thirteen (13) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama, except a right of way fifty feet in width through the Northwest quarter of

South-East quarter of Section 13: the South-west quarter of North-East quarter and West half of South-East quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines: Begin at the northeast corner of the North-West quarter of South-East quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section. Also begin at the northeast corner of the South-West quarter of North-East quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minutes with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 38 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a

straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the South-West quarter of South-East quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom it May Concern:

Take notice that the present session of the Legislature of Alabama will be requested to pass the following bill:

A BILL

To be entitled an Act, to vacate all public roads, trails, paths, highways, and passageways, into, through, over, on or across the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE ¼ of NE¼) of Section Fourteen (14), and the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) the Southwest quarter (SW¼), the South half of the Northwest quarter (S½ of NW ¼), the Southwest quarter of the Northeast quarter (SE¼ of NE¼) and the West half of the Southeast quarter (W ½ of SE ¼) of Section Thirteen (13) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), Township nineteen (19) South, Range five (5) West, Jefferson county, Alabama, except a right of way fifty feet in width through the Northwest quarter of Southeast quarter of Section 13; the Southwest quarter of Northeast quarter and West half of Southeast quarter of Section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines.

Begin at the northeast corner of the Northwest quarter of Southeast quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 353.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 48 degrees and 24 minutes; thence in a southerly direction along said arc of said curve 604.6 feet to point of beginning of a straight line tangent to arc, thence in a southerly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the south-east corner of said quarter-quarter section.

Also begin at the northeast corner of the Southwest quarter of northeast quarter of said Section 24; thence in a southerly direction along the

eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 38 minutes, thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1,372.6 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 17 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and .08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the southwest quarter of Southeast quarter of said Section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the southeast corner of said quarter-quarter section.

Be it enacted by the Legislature of Alabama:

Section 1. That all public roads, trails, paths, highways and passageways into, through, over on or across the Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE ¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13) the Southeast quarter (SE ¼) and the Southeast quarter of the Northeast quarter (SE ¼ of NE¼) of Section fourteen (14), the Northeast quarter (NE ¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W ½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama, except a right of way fifty feet in width through the North West quarter of Southeast quarter of Section 13; the Southwest quarter of Northeast quarter and west half of Southeast quarter of section 24, in said township and range, said right of way being twenty-five feet wide on each side of the following described center lines:

Begin at the Northeast corner of the Northwest quarter of southeast quarter of said Section 13; thence in a southerly direction along the eastern boundary of said quarter-quarter section 47.4 feet to point of beginning of center line of right of way herein described; thence turning an angle of 21 degrees and 26 minutes and 30 seconds to the right 352.6 feet in a southwesterly direction along a straight line to point of beginning of the arc of a curve turning to the left and having a radius of 716.78 feet, said straight line being tangent to said arc of said curve, said arc of said curve being

subtended by a central angle of 48 degrees and 22 minutes; thence in a southerly direction along said arc of said curve 605.6 feet to point of beginning of a straight line tangent to said arc; thence in a southeasterly direction along said straight line 224.6 feet more or less to intersection with the eastern boundary of said quarter-quarter section, said intersection forming an angle of 26 degrees and 55 minutes and 30 seconds and being 165.9 feet north of the southeast corner of said quarter-quarter section.

Also begin at the northeast corner of the Southwest quarter of northeast quarter of said Section 24; thence in a southerly direction along the eastern boundary of said quarter-quarter section 404.9 feet to point of beginning of center line of right of way herein described, said center line being the arc of a curve turning to the left in a southwesterly direction and having a radius of 1146.28 feet, a tangent to said arc of said curve at said point of intersection forming an angle of 26 degrees and 1 minute with said eastern boundary of said quarter-quarter section, said arc of said curve being subtended by a central angle of 25 degrees and 28 minutes; thence in a southwesterly direction along said arc of said curve 512.7 feet to point of beginning of a straight line tangent to said arc; thence in a southerly direction along said straight line 1372.6 feet to point of beginning of the arc of a curve turning to the right and having a radus of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 47 degrees and 45 minutes; thence in a southerly direction along said arc of said curve 177.5 feet to point of beginning of a straight line tangent to said arc thence in a southwesterly direction along said straight line 705.0 feet to point of beginning of the arc of a curve turning to the right and straight line being tangent to said arc having a radius 573.69 feet, said arc of said curve, said arc of said curve being subtended by a central angle of 32 degrees and 10 minutes; thence in a southwesterly direction along said arc of said curve 321.7 feet to point of beginning of a straight line tangent to said arc; thence in a southwesterly direction along said straight line 743.3 feet to point of beginning of the arc of a curve turning to the left and having a radius of 573.69 feet, said straight line being tangent to said arc of said curve, said arc of said curve being subtended by a central angle of 18 degrees and 08 minutes and 30 seconds; thence in a southwesterly direction along said arc of said curve 181.62 feet more or less to intersection with the southern boundary of the Southwest quarter of Southeast quarter of said section 24, a tangent to said arc of said curve at said point of intersection forming an angle of 58 degrees and 37 minutes and 30 seconds with said southern boundary, and said intersection being 1241.4 feet west of the south-east corner of said quarter-quarter section, are hereby vacated.

Section 2. There has been doubt and uncertainty as to what, if any, public roads, trails, paths, highways and passageways have heretofore or now exist into or through the land set out in Section 1 of this act, and it is the purpose of intention of this act, to enact, and it is hereby enacted that all such public roads, trails, paths, highways and passageways, except that specifically described in Section 1 hereof, which may exist by dedication, use or otherwise shall forever cease to be public highways, or passageways, and that all rights of the public into or through said property except on the right of way specifically described in Section 1 hereof as a result of any dedication of use of such roads, trails, paths, highways or passageways, be and the same are hereby relinquished and abandoned.

STATE OF ALABAMA,
Jefferson County.

Before me, the undersigned authority in and for said State and County, personally appeared before me Howe Price, who being first duly sworn on

oath says that he is the owner of the Bessemer Advertiser, a newspaper published in Bessemer, Jefferson County, Alabama, and was such owner and manager during the times hereinafter mentioned, and that to his own personal knowledge the notice attached hereto was published in said newspaper for four consecutive weeks beginning with the 27th day of January, 1927.

Howe Price,

Sworn to and subscribed before me this the 8 day of June, 1927.

S. P Smith,
Notary Public.

Also:

By Mr. Fite:

H. 713. To repeal An Act, entitled "An Act to provide for the election and appointment of a County Superintendent of Education for Marion County, Alabama, fix his or her term of office, fix the qualifications, the compensation and the successor in said office," approved on September 24, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama, which reconvenes on the 7th day of June, 1927, for the passage of a law repealing an act, entitled "An Act to provide for the election and appointment of a County Superintendent of Education for Marion County, Alabama, fix his or her term of office, fix the qualifications, the compensation and the successor in said office," approved on September 24, 1923, (page 241 of Local Acts 1923).

This, the 1st day of June, 1927.

STATE OF ALABAMA,
Marion County.

Before me, W. H. Cantrell, Judge of Probate, in and for said County, in State aforesaid, personally appeared F. B. McKenzie, who, being duly sworn, doth depose and say that he is publisher of The Marion County News, a weekly newspaper published in the Town ofHamilton, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper for 4 consecutive weeks prior to the 27th day of June, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit:

No. 1 the 2nd day of June, 1927.
No. 2 the 9th day of June, 1927.
No. 3 the 16th day of June, 1927.
No. 4 the 23rd day of June, 1927.

And that there was no agreement between publisher and officer, and that the actual and lowest cost of said advertisement is $4.14 and paid.

F. B. McKenzie, Publisher.

Sworn to and subscribed before me, this 27th day of June, 1927.

W. H. Cantrell,
Judge of Probate.

Also:

H. 425. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads

and bridges of Fayette County, Alabama; to define the duties and powers of the Court of County Commissioners, or other governing body of Fayette County with regard to the same; to fix penalties for the violations of the rules, regulations and laws of the Court of County Commissioners, or other like governing body of said county; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette County, Alabama; to provide for the appointment of road foreman in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

The State of Alabama,
Fayette County.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the regular session which convened on Tuesday, the 11th day of January, 1927, and of the intention to have said bill passed and enacted at said session the substance, essential and material parts thereof, and the bill in full as part of this notice being as follows:

A bill to be entitled An Act to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette County, Alabama; to define the duties and powers of the court of county commissioners or other governing body of Fayette County with regard to the same; to fix penalties for the violations of the rules, regulations and laws of the court of county commissioners, or other like governing body of said county; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette County; to provide funds, regulations and penalties to carry the provisions and purposes of this Act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette County, Alabama; to provide for the appointment of road foremen in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

Be it enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners of Fayette County, Alabama, are hereby invested with a general superintendence of the public roads, bridges and ferries, within the County of Fayette, and may

establish new, and change and discontinue old roads or bridges in said county so as to render travel over the same as safe and convenient as practicable; to this end they are given legislative, judicial and executive powers, except as limited herein. They may establish, promulgate and enforce rules and regulations, make and enter into such contracts as may be necessary, or as may be deemed necessary or advisable by such courts, to build, construct, make, improve and maintain a good system of public roads, bridges, or ferries, in said county, and to regulate the use thereof.

Section 2. That it shall be unlawful for any person, firm or corporation to violate any rule, regulation or law which may be adopted or promulgated by the Court of County Commissioners under the authority conferred by this Act, relating to the use, control, care, working, operation or maintenance of any public road, bridge or ferry, and any person, firm or corporation violating the same shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five nor more than one hundred dollars, and may also be sentenced to hard labor for the county for not more than thirty days, either or both, and each violation thereof shall constitute a separate offense.

Section 3. That the Court of County Commissioners of said county may transfer to the road fund of the county any part or any surplus of general funds of the county in the county treasury, whenever in the judgment of such court it will promote the interest of the county to make such transfer. Any surplus or any part of general funds so transferred, shall be used only for the working or maintenance of the public roads, or the building or maintenance of bridges or otherwise improving the public roads of the county.

Section 4. That for the purpose of maintaining the public roads and bridges, the said County of Fayette is hereby divided into road districts, each precinct of said county to constitute a separate district, and it shall be the duty of the Court of County Commissioners to appoint a foreman for each ~~of~~ said districts, but if deemed advisable, the Commissioners Court, for good and sufficient reason, may change the boundaries of the different districts, or decrease the number in said county, and may appoint foremen of said sections of roads regardless of districts, by placing an order on the minutes of said court making such changes and giving reasons therefor. The terms of office for the said foreman shall be one year from date of appointment, and until their successor is appointed, but may be discharged by said Commissioners Court for neglect of duty or inefficiency, and when a vacancy for any cause occurs, the Commissioners Court shall appoint some suitable person to fill the unexpired term.

Section 5. The Probate Judge of the county shall have authority to collect and receipt for commutation fees from hands or persons subject to road duty in any precinct in the county, and shall keep an accurate account of all money collected in the various precincts in said county, showing a list by precincts of the names, amount and date of those who have paid a commutation fee, nad he shall also furnish the foreman of each precinct with a list of persons who pay the commutation fee to him in lieu of personal service, and he shall turn into the county treasurer to the credit of the precinct therein the tax payer resides, all such taxes so collected by him.

Section 6. That all persons are liable to work on the public roads of Fayette County except women, and all men under the age of eighteen and over the age of forty-five; all persons who have lost an arm or leg; and all persons who by nature or disease, are rendered incapable of hard labor, who shall procure a certificate of such incapacity from the county board of health, are exempted from working on public roads; but a certificate of such incapacity from two reputable practicing physicians shall also be sufficient.

Section 7. That every male person in said county who is over the age of eighteen, and under the age of forty-five not exempt by law, shall be sub-

ject to road duty, and shall be compelled to work on the public roads or repairing bridges for not more than ten days in each year and eight hours actual work each day, provided, any person subject to road duty may be relieved from working on the roads by paying a money compensation, or fee of five dollars per capita per annum to the road foreman or probate judge of said county, on or before the first day of January of each year to become delinquent if not paid on or before February first of each year, and if not paid by the first day of February of each year, the Commissioners Court may, in its discretion, allow said commutation fee to be discharged by the payment of seven dollars and fifty cents, said money to go to the road fund of said county, and to be appropriated exclusively for the public roads or bridges in the district in which said commutation or money compensation is paid. That all persons subject to road duty, who fail to pay said money compensation in lieu of the labor required by law upon public roads, shall be compelled to work on the public roads of said county for not more than ten days, and provided further, that all persons subject to road duty moving into said county after the first day of January in any year, shall be liable to road duty for the remainder of the year at the rate of ten days work for twelve months, and shall have the option of commuting said work by paying to the foreman of his district, or the Probate Judge of said county, or other persons designated by the Commissioners Court for his district, in discharge of such liability at the rate of five dollars for ten days' work, and the road year shall be the same as the calendar year. Road foremen liable to road duty shall not be exempt from road duty, except by payment of the commutation fee or work on public roads for not more than ten days in each year.

Section 8. That all male inhabitants of the county between the ages of twenty-one and sixty years are subject to road duty under this Act as foremen.

Section 9. That the Court of County Commissioners may transfer for maintenance of public roads, any surplus of the fine and forfeiture fund of the county in the county treasury, or any part of such surplus, whenever in the judgment of such court it will promote the interest of the county to make such transfer for road purposes. Any surplus so transferred shall be used only for working of public roads or the building or repairing of bridges or otherwise improving the public roads of Fayette County.

Section 10. That in the event of the destruction of a bridge, or damage thereto, rendering the same impassable or dangerous, or the condition of any public road becomes impassable from any other cause, or in any other emergency, the county commissioners may immediately contract for the repair or rebuilding of such bridge or road, without advertisement, if the public good requires it.

Section 11. That the right of way is granted to any person or corporation having the right to construct telegraph or telephone lines within this State to construct them along the margin of the right of way of public highways, but subject to removal or change by the Court of County Commissioners.

Section 12. That the Court of County Commissioners of Fayette County, are hereby given the right of eminent domain for the purpose of establishing and changing public roads, and bridges in said county, provided that when an appeal is taken from any assessment in a condemnation proceeding brought by said county, such appeal shall not deprive the county when judgment of condemnation is obtained, of a right of entry for any and all purposes named in the condemnation proceeding, provided the amount of damages assessed shall have been paid into court in money, and a bond shall have been given in not less than double the amount of damages assessed with good and sufficient sureties to be approved by the clerk of the court to

which the appeal is taken conditioned to pay such damages as the owner of the property may sustain.

Section 13. That it shall be the duty of each foreman during the month of January in each year to take a census of the persons within the area assigned to him who are subject to road duty, giving the age and color of each person, and turn a list of such persons into the office of the Probate Judge, and said foreman shall keep an accurate statement of the names of all persons who pay commutation fees or money compensation in lieu of working the road, and report the same to the Probate Judge, and shall also account to the said Judge of Probate for all unused or mutilated receipts and the stubs of receipts issued, and also report to the Probate Judge for the inspection of the Court of County Commissioners an itemized account and correct dates of all money expended, and for what purpose, and the name, date, and number of hours worked per day of all road hands on the public roads. Before entering upon his duties, each foreman shall subscribe to the statutory oath to faithfully perform his duties, which oath may be administered by any officer legally authorized to administer the same and said foreman shall execute bond with sufficient surety in the sum of five hundred dollars payable to Fayette County, Alabama, conditioned for the faithful discharge of his duty and to promptly account for all money coming into his hands belonging to the road fund and for tools or other property coming into his possession belonging to the county.

Section 14. That it shall be the duty of the Probate Judge to enter the names of all persons who are subject to road duty in a suitable ledger which shall have appropriate columns for credit of money or labor and also to furnish all other books or stationery necessary for the proper administration of the road law, at the expense of the county, to be purchased and paid for in the same way and manner that other necessary stationery is purchased and paid for by the county, and the compensation of said Judge of Probate for all services rendered under the road law shall be the same as he now receives, as provided by law.

Section 15. That the foreman of each district shall report the condition of the roads and bridges in his district to each grand jury of said county, should any part of the roads over which they have supervision be bad, or any of the bridges defective.

Section 16. That it shall be the duty of each member of the Court of County Commissioners of Fayette County, to carefully inspect the condition of the public roads and bridges within the district for which they were elected commissioner, once within every six months, or at any time deemed necessary, and report the true condition of said roads and bridges to the Commissioners Court. They shall personally inspect all work let out by contract in the respective districts to see that the specifications are fully carried out in compliance with the contract entered into with the contractor, before said work is paid for, provided the Commissioners Court may, if they deem advisable, appoint some other person to inspect said work, and said commissioner for performing said duties shall receive the same pay per day and mileage, to be paid in the same way and manner as County Commissioners are now paid, and said claim shall regularly be passed upon by the Commissioners Court before payment thereof.

Section 17. That it shall be the duty of each foreman of each road district, or some oher person appointed by him, to warn the person or hands subject to road duty by giving three days' notice in person or in writing, to be left at the residence of said person liable to road duty, to meet at such time and place as the foreman of the road may appoint, and with such implements, tools or property liable to road duty as he may direct.

Section 18. That any person liable to road duty, who fails or refuses, after legal notice to work the public roads, either in person or by substitute, without a sufficient excuse thereof, must, on conviction, be fined not less

than five dollars, and may also be imprisoned in the county jail, or put to hard labor for the county for not more than twenty days, and the fine in said prosecution shall be paid over to the county treasurer as a part of the commutation fee road fund, and said fine when so paid, shall be expended on the road in the district in which said default was made. This section must be given in special charge to the grand jury; and it is their duty, if the evidence justifies it, to find and present the indictment.

Section 19. That it shall be the duty of the foreman of each road district of the county to report all violations of road duty where persons subject to the same, without sufficient excuse therefor, refuse to work the public roads, and also any refusal to pay any license required by the law. Said report of all violations which may come under their observation, shall be made to the grand jury of said county, or at their option, prosecutions may be commenced by them in the county court of said county, or before a justice of the peace having jurisdiction of said offense.

Section 20. That any person subject to road duty who desires to work in lieu of commutation fee, and who fails to do satisfactory work under the foreman, or person having charge of the road or bridge work, may be discharged by said foreman and proceeded against as though he had refused to work.

Section 21. That if any section or provision of this Act shall be declared to be void or unconstitutional it shall not affect or destroy the validity or constitutionality of any other section or provision therein, which is not in and of itself void or unconstitutional.

Section 22. That for all work or labor performed by the foreman of the different road districts in the county, except when working under contract as provided for in this Act, said foremen shall be paid at a rate not to exceed three dollars per diem, said claim for said services shall be regularly passed upon by the Commissioners Court and warrant issued thereof payable out of road and bridge fund for county or out of commutation fee fund.

Section 23. That none of the provisions of the general laws of Alabama relating to public roads are repealed by the provisions of this Act except in so far as they conflict with the terms of this Act. All laws and parts of laws, local and general, that conflict with the terms of this Act, are hereby repealed.

Section 24. Be it further enacted that this Act shall not affect any existing right, remedy or defense, nor shall it affect any prosecution now commenced, or which shall hereafter be commenced, for any offense already committed, or for any offense committed before this Act becomes operative. As to all such cases the laws in force at the adoption of this Act shall continue in force.

Section 25. This Act shall take effect immediately upon its passage and approval by the Governor.

W. M. Cannon.

PUBLISHER'S AFFIDAVIT

The State of Alabama,
Fayette County.

Before me, R. F. Peters, Register of the Circuit Court in Equity in and for said County, in State aforesaid, personally appeared Thos. M. Peters, Jr., who, being duly sworn, doth depose and say that he is publisher of The Northwest Alabamian, a weekly newspaper published in the Town of Fayette, State and County aforesaid, and that a certain advertisement (a true copy of which is hereto attached) has been published in said newspaper once a week for 4 consecutive weeks prior to the 9th day of March, 1927, and the respective numbers and dates of said newspaper in which said publication was made are the following, to-wit: The 12th day of January,

1927; the 19th day of January, 1927; the 26th day of January, 1927; the 2nd day of February, 1927; the 9th day of February, 1927.

Thos. M. Peters, Jr., Publisher.

Sworn to and subscribed before me, this 4th day of June, 1927.

R. F. Peters,
Register of the Circuit Court.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 629 379 and 539 To the Committee on Constitution and Constitutional Revision and Amendments.

H. B.'s 455, 625, 637 and 425 To the Committee on Local Legislation.

H. B. 558. To the Committee on Municipalities and Municipal Organizations.

H. 559. To the Committee on Mining and Manufacturing.

H. B.'s 672 and 713 To the Committee on Education.

H. B. 557 To the Committee on Revision of Laws.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 166. To allow the sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary, and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama.

S. 291. To provide for the payment of the fees of State witnesses in criminal cases in Dale County, Alabama.

S. 113. To amend Section 8588 of the Code of Alabama.

S. 329. To authorize the Town Council of the Town of Vincent, Alabama, to abolish its board of education and place the government and control of the public schools of said town under the control of the county board of education and under State control.

S. 197. To authorize the Town Council of the Town of Columbiana, Alabama, to abolish its board of education and place the government and control of the public schools of said town

under the control of the county board of education and under State control.

By Mr. Stokes (with notice and proof):

S. 292. To provide for the relief of L. W. Kolb, G. A. Hood, J. H. Tice, H. T. Parker, J. L. Barnes, W. A. McKay, W. C. Barefield, A. L. Mims, M. R. Dean, J. W. Dean, Chas. Thrower, J. W. Dickert, J. M. Covington, A. J. Norton, R. E. Hayes, M. B. Aman, L. F. Head, W. E. Fitsgerald, G. C. Peebles, Houston Power Co., H. L. Andrews, W. O. Thomas, O. W. Metcalf, J. C. Spears, J. S. Baker, C. V. Atkinson, Paul Dickert, D. T. Dickert, J. Norris Weed, W. A. Tharp, J. E. Metcalf, J. W. Spigner, G. S. Vickers, T. L. Weed, W. C. Copeland, A. H. Jackson, Rainer Block Mill, W. E. Fitsgerald, R. L. Andrews, A. L. Howell, Ab DeLoney, Parker & Flowers, P. A. Clark, W. H. Deloney, W. L. Dean, C. D. Parker, C. L. Dickert, B. R. Ezell, C. N. Byrd, J. T. Ellis, Payne Bros., Monroe McCraney, J. N. Byrd, C. W. Sherfield, A. D. Dixon, John Carr, Bud Carr, John Hudson, Birt Godwin, Grady Skipper, Malcomb Byrd, M. W. Redd, Welsey Gillian, J. C. Spears, Cody Rogers, Albert Rogers, Mertice Clements, Shellie Morris, B. W. Spears, John Miller, Harris Benson, Ned Byrd, W. A. Bloodworth, Marvin Andrews, Mose Dawkins, Ach Byrd, Fred Andrews, D. DeLoney, Henry DeLoney, Melvin Bowman, Charles Byrd, Jr., Sam Willis, Randolph Casey, Lingo Parker, J. M. Bloodworth, Will Johns, Jas. Helms, D. C. Patrick, G. C. Curenton, Ferell Strickland, Grady Averett, Alvin Ford, Peter Ezell, W. E. Tyler, John Woodall, Ewell Byrd, Seaborn Bowman, Barney Morris, Curt Peters, Geo. Trotter, Daly Harper, Sylvester Harper, Chester Head, Bryter Byrd, Ralph Speller, Calvin Carr, Bunk Woodham, Hanry Blackman, R. G. Newsom, Arch McDonald, Will McSwean, Bud Snell, M. C. Williford, S. H. Williford, Walter Kirk, Henry Jones, G. L. Charles, Calvin Davis, Bud Thompson, Isom Thompson, Bryant Flowers, Homer Nicholson, Oscar DeLoney, Pressie Dawkins, Geo. Johnston, Jeff Harris, W. B. Waters, Fred Waters, Jas. F. Waters, A. V. Curenton, L. P. Curenton, E. L. Stokes, J. H. Hughes, A. C. Hughes, Dody Russell, Sandy Walker, W. G. Horn, Legon Curenton, Floyd Martin, Jesse Sillivant, Marvin McDaniel, I. L. Andrews, F. R. Lee, A. J. Andrews, B. F. Patterson, John Andrews, J. W. Wells, W. A. Wigham, Jewell Pouncey, Ed Free, R. J. Pouncey, Len Jones, Thom. Watford, Lige Cotton, Bud Wilson, Lester Thompson, J. W. Pridgen, John Griffin, McLean Watford, T. R. Arnett, Joe Akins, M. B. Pridgen, Alex Griffin, Elvin Griffin, Eben Averett, Fred Averett, I. J. Pridgen, Reese Bennett, John Sulivon, Grady Summerlin, Merlin Matthews, John Watson, Geo. Brown, Everett Brown, D. E. Byrd, Jones Campbell, V. L. McEntyre, L. A. Windham, Dest Faulk, Lemon

Brown, O. K. Williams, R. C. Wells, A. T. Windham, O. J. Wells, H. W. Wells, Mathew Lee, D. Edmondson, W. B. Baker. Lonie Baker, Oscar Brooks, Wesley Shiran, J. A. Mauldin, Porter Pippin, A. G. Teal, L. A. Akins, Foy Jones, Bonie Wiley, Roser Wiley, J. S. Smith, J. F. Fralish, I. A. Nichols, C. D. Brown, Buck Akins, W. D. Adams, Carl Pouncey, C. J. Pouncey, S. J. Barwick, C. E. Mullins, N. Haynes, Royal A. Clark, Joe Mauldin, C. W. Baker, H. L. Baker, W. E. Blocker, W. T. Logan, N. E. Cain, H. B. Brown, Arnie Sauls, M. F. Sauls, J. L. Trawick, M. G. Faircloth, L. L. Brown, H. B. Brown, O. W. Jacobs, Huey Batchelor, E. H. Nolen, A. Baker, Chas. Logan, T. S. Jacobs, D. R. Pipkins, W. L. Jacobs, W. J. Jacobs, T. A. Johnston, G. C. Carter, Godwin....., S. R. Pipkins, W. R. Baker, E. D. Jacobs, J. T. Matthews, Lewis Smith, Denis Smith, S. E. Lavender, Joe Thompson, Porter Ziglar, R. H. Snell, J. W. Taylor, D. L. Ragan, James H. Parks, C. A. Davis, A. W. Wilks, Homer Skinner, G. J. Casey, A. J. Goodson, C. L. Goodson, D. H. Towns, J. F. Logan, Wiley Rachel, Crosby Quitman, B. I. Goodson, Ross Medly, Halford, B. Q., Albert Whitlock, Berry Simmons, Will Campbell, Giff Bradley, Foreman Lucus, J. W. Roland, V. J. Roland, W. A. Jacobs, W. J. Bundrick, Andrew Wilson, Allen Sauls, W. A. Roland, R. H. Nolin, T. H. Nolin, Geo. Batchelor, W. A. Wesson, Geo. Overstreet, W. H. Senn, A. C. Hollis, J. S. Brooks, Henry Condry, A. V. Jacobs, J. Crawford, Oscar Johnson, Lee Franklin, Jim Franklin, Sugerbabe Johnson, Tally Ardis, Fate Matthews, Bob Mintern, T. G. Chapman, W. M. Goodson, Henry Wilson, Joe Leonard, E. E. Hoffman, G. H. Faulk, S. E. Dasinger, Tom Brackin, Homer Horne, Manuel White, D. L. Henderson, Will Jones, A. L. Kelly, J. O. Brackin, Henry McKee, A. D. Brackin, W. M. Roberson, J. T. Smith, W. J. Jones, J. W. Ward, B. B. Kenill, J. L. Hodge, H. L. Facon, Wesley Oliver, W. W. Green, Ellison Woodham, Will Elmore, Colon McKee, J. M. Brackin, Z. Z. Holland, Z. Z. Kirkland, W. A. Quattlebaum, R. V. McAily, A. G. Warren, Peter Herring, Norman Scott, C. F. Hall, P. W. Wilson, C. W. Lewis, I. A. Snell, J. L. Snell, W. C. Deal, Ben Deal, Crawford Deal, Wm. A. Miller, C. M. Lewis, J. C. Carter, Bud Pierson, Henry Tullis, Jim Stuckey, Henry Horn, D. M. Woods, C. W. Roberts, R. W. Sanders, D. C. Peeples, Waymon Tullis, A. F. Davis, Monk Underwood, M. F. Wemms, Ed Horn, Charlie Horn, J. S. Fuqua, William Chapel, C. J. Reynolds, Foy Bivins, Like Underwood, E. D. Robinett, Stanley Helms, Henry Stuckey, Walter Gimore, Charlie Phillips, Marion Pitts, A. H. Scott, L. B. Woodham, J. H. Spivey, C. B. Spivey, Trailor Floyd, Tell Snell, Abry Gullege, Jno. Beauchamp, Embry Key, W. E. Walker, Jim Tew, R. E. Baker, Kirt Wilson, T. W. Kelly, Frank Kelly, I. L. Stephens, Lee Johnston L. L. Lewis, F. L. Phillips, Mike Gassett, Dr. D.

P. Mixsom, Geo. Roberts, Bob Roberts, Coy Dykes, T. Dykes, Ed Griffin, A. J. Hagler, Oval Dykes, Arlie Stephens, Lem Barrow, Mixsom Searcy, R. J. Davis, R. T. Stucky, Levy Payne, Harvey McLeod, Joe Payne, Ive McLeod, Alex McLeod, Jr., Cull Martin, Coy Payne, Alex Searcy, Sam Smedley, Levi Grimes, J. A. Payne, Carlton Edwards Graey Gassett, Pate Gassett, Charlie Searcy, Culler Whigham, Lewe Powell, Tom Gardner, Dan Strickland, J. H. McLeod, Hubert McLeod, Shelly McLeod, Homer McLeod, W. H. Searcy, Lee Key, Carey Hagler, C. E. Norris, C. A. Mathison, H. V. Stucky, Marion Rainey, H. B. Hughes, J. O. King, Trawick, Neute Thompson, Marvin Strickland, Major Strickland, Foy Beasley, C. V. Richardson, C. L. Paulk, G. F. Berry, W. A. Parramore, G. A. Tyler, G. L. Tyler, J. B. Philips, Fate Wilson, Nance Wilson, J. C. Keener, J. W. Paul, Will Blasey, J. T. Pryor, L. G. Senn, Crawford Wilson, W. N. Trawick, D. R. Scott, Roe Allen, H. B. Berry, Geo. Faulk, Len Tyler, Truett Adamson, D. W. Adams, J. W. Adams, Benny Adams, Ellis Paulk, H. A. Brown, Sefus Ellis, Geo. Ellis, W. F. Baker, Carlie Baker, Jesse Baker, Johnie Truett, William Crawford, John Ingram, Jewe Sumers, Ad Moore J. S. Pridgen, Leslie Thompson, Lem Casey, Dewey Williams, Charles Payne, T. A. Tice, E. P. Childree, Barney Childree, M. C. Hix, C. B. McGee, Jesse McKee, Osie McKee, A. T. Brackin, W. C. Ezell, J. L. Stevens, J. H. Dassinger, M. A. Price, Earl B. Kirkland, W. H. Popewell, E. T. Smith, V. C. Smith, M. O. Bruce, C. G. Bruce, Jeary Parmer, J. J. Stell, W. A. McKay, Yancey Sykes, M. W. Wright, M. E. Birge.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report from Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted:

By Rules Committee:

H. J. R. 102. Be it resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again Friday, July 22, 1927, at ten o'clock a. m.

And send same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the rules were suspended and H. J. R. 102, set out in the foregoing Message from the House, concurred in and adopted.

BILLS ON THIRD READING

The Bill:

S. 364. To prevent any person or persons from appearing in any public place or within the curtilage of any private residence, not his own in mask or with his or their face covered in part or in whole so as to prevent or make difficult his or their identity and to make it a felony to commit an assault, assault and battery, engage in any affray or violate any criminal statute while so disguised, and to provide punishments for the violations of the provisions hereof.

Was taken up.

The Committee on Judiciary reported the following amendment to said bill to-wit:

Amend Section 2 by striking out the word "five" and inserting in lieu thereof the word "one".

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Teasley
Brown	Ellis of Shelby	Mitchell	Thompson
Carlton	Hall	Nolen	Warren
Cowan	Jack	Oliver	Williams
Craft	James	Stokes	Young

—20

Nays:—None.

Mr. Ellis of Shelby offered the following substitute for said bill as amended:

SUBSTITUTE FOR SENATE BILL NO. 364

To be entitled an act to prohibit any person appearing within the curtilage of any private dwelling, residence, or public place or highway, or on any street of any village, town or city of this state, with his or her face masked or covered so that the identification of such person is prevented, and to provide the penalty therefor; to provide for the regulation of public meetings or parades of secret lodges, fraternal orders and secret societies; and to provide for the production of certain records in the courts of this State and to provide the punishment for failure to produce such records, to make it a felony for any person

while masked or disguised so that identification is prevented or made difficult to abuse, whip or beat any person upon any accusation, real or pretended, or to take into custody any person for the purpose of abusing, whipping or beating any person, or for the purpose of compelling such persons to confess guilt of any offense, or for the purpose of compelling such person to make disclosures or to consent to leave the neighborhood, city, county or state, and to provide the punishment therefor.

Be it Enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person in this State to appear within the curtilage of any private residence, not owned or leased by such person or not under the control of such person, or on any public highway, or street of any village, town or city, with his or her face masked or covered so that the identification of such person is prevented, and any person who violates the provisions of this section of this Act shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not less than fifty and not more than five hundred dollars, and in addition to such fine may be sentenced to imprisonment or hard labor for the county for not more than one year, at the discretion of the trial judge; provided, however, that this section shall not apply to persons engaged at the time in any theatrical performance or to any bona fide public entertainment, and this section shall not apply in any way to ritualistic ceremonies in bona fide lodge halls of any secret fraternal order, secret society or secret lodge, nor shall this section apply to any bona fine parade or public gathering of any lodge, fraternal order or secret society when such gathering or parade is under the supervision of its proper officers when meeting or parading on public highways or on the streets of any village, town or city of this State.

Section 2. That each secret lodge, fraternal order or secret society, which, according to its by-laws, is required, or permitted to use or wear masks, uniforms or other regalia, shall, before appearing in public meetings or parades require each member to give a receipt for his uniform, regalia, or mask to the local head officer of said order, and such officer shall forthwith make a record in a well bound book of the time and date of issuance thereof and the time and date of the return of such articles, when same are returned, and said record shall contain facts as to the occasion of such public meeting or parade, and said data shall be kept in the permanent records of said lodge, fraternal order or secret society. Provided further, that upon demand of any circuit, county or deputy solicitor or the Attorney General of this State, made to any court or judge of any court of this State, and when deemed pertinent in the opinion of the court or judge to any investigation or prosecution of crime committed in

violation of this Act an order shall be issued by said court or judge to the head officer or officer having custody of said records of said secret lodge, fraternal order or secret society, compelling him or her to produce said records hereinbefore referred to in this Act, before any grand jury or other court investigation of crime conducted concerning any person for the violation of this Act, and upon refusal or willful failure of said head local officer or officer having custody of said records to comply with said order such person shall be guilty of contempt of court and shall be punished as provided by law as in case of other contempts as made and provided.

Section 3. That it shall be unlawful for any person while masked or disguised so that identification is prevented or made difficult, to abuse, whip, or beat any person upon any accusation, real or pretended or to take into custody any person for the purpose of abusing, whipping or beating such person, or for the purpose of compelling such person to confess guilt of any offense, or for the purpose of compelling such person to make disclosures concerning the conduct of himself or others, or to consent to leave the neighborhood, city, county or State, and on conviction shall be imprisoned in the penitentiary for not less than one year nor more than ten years at the discretion of the jury.

Mr. Williams moved to lay said substitute on the table, which motion was lost.

Yeas, 13; Nays, 16.

Yeas:				
Messrs:				
Bonner	Ellis of Dallas	Mitchell	Teasley	
Bradford	Jack	Oliver	Thompson	
Carlton	James	Stokes	Williams	
Craft				
				—13
Nays:				
Messrs:				
Brown	Fite	Justice	Stanley	
Caffey	Hall	Loflin	Walton	
Cowan	Holmes	Nixon	Warren	
Ellis of Shelby	Jones	Nolen	Young	
				—16

Mr. Ellis of Shelby offered the following amendment to said substitute:

Amend Section 3 by striking therefrom the following words when they occur together, viz:

"Upon any accusations, real or pretended."

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Craft	James	Nolen
Bradford	Ellis of Shelby	Jones	Oliver
Brown	Fite	Justice	Stanley
Caffey	Hall	Loflin	Walton
Carlton	Holmes	Mitchell	Warren
Cowan	Jack	Nixon	Young

—24

Nays:—None.

And said substitute, as thus amended, was then adopted.
Yeas, 19; Nays, 10.

Yeas:
Messrs:

Brown	Hall	Loflin	Teasley
Caffey	Holmes	Nixon	Walton
Cowan	James	Nolen	Warren
Ellis of Shelby	Jones	Oliver	Young
Fite	Justice	Stanley	

—19

Nays:
Messrs:

Bonner	Craft	Mitchell	Thompson
Bradford	Ellis of Dallas	Stokes	Williams
Carlton	Jack		

—10

And said bill, as thus amended, was then read a third time at length and passed.
Yeas, 19; Nays, 10.

Yeas:
Messrs:

Brown	Hall	Loflin	Teasley
Caffey	Holmes	Nixon	Walton
Cowan	James	Nolen	Warren
Ellis of Shelby	Jones	Oliver	Young
Fite	Justice	Stanley	

—19

Nays:
Messrs:

Bonner	Craft	Mitchell	Thompson
Bradford	Ellis of Dallas	Stokes	Williams
Carlton	Jack		

—10

Mr. Teasley gives notice that he will make motion to re-consider the vote by which said bill was passed.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama,
Montgomery, Alabama.
Gentlemen:

I have appointed the following members of the State Banking Board, to wit:

Mr. W. E. Henley, President, Birmingham Trust and Savings Bank, Birmingham, Ala.

Mr. Sam C. King, Vice President, Bank of Ensley, Ensley, Ala.

Mr. J. Oleus Jordan, Cashier, Bank of Centre, Centre, Ala.

Mr. W. S. Garner Vice President, State Bank of Ozark, Ozark, Ala.

And as required by the law creating the State Banking Board, I herewith transmit their names to you for confirmation or such other action as you may deem advisable.

Respectfully,
Bibb Graves,
Governor.

July 19, 1927.

GOVERNOR'S MESSAGE

On motion of Mr. Brown, the Senate confirmed the appointment by the Governor of the following members of the State Banking Board to-wit:

Mr. W. E. Henley, President, Birmingham Trust and Savings Bank, Birmingham, Ala.

Mr. Sam C. King, Vice President, Bank of Ensley, Ensley, Ala.

Mr. J. Oleus Jordan, Cashier, Bank of Centre, Centre, Alabama.

Mr. W. S. Garner, Vice President, State Bank of Ozark, Ozark, Ala.

Yeas, 24; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Loflin	Teasley
Bradford	Ellis of Shelby	Nixon	Thompson
Brown	Hall	Nolen	Walton
Caffey	Holmes	Oliver	Warren
Cowan	Jack	Stanley	Williams
Craft	Justice	Stokes	Young

—24

Nays:—None.

CALENDAR BILLS RE-REFERRED

On motion of Mr. Ellis of Dallas, the bill:

H. 341. To amend the incorporation Laws of Alabama so as to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration, and the Chairman of the State Tax Commission, for the purpose of constructing or causing to be constructed, bridges and approaches for public use on or conecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for raising the necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such

bridges; to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid, and to provide for the payment of interest on said bonds by the State of Alabama.

Was taken from today's calendar and re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

BILLS RECALLED AND RE-REFERRED

On motion of Mr. Stanley, the bill:

S. 299. To provide for the election of a County Superintendent of Education for Butler County, Alabama, to fix his term of office, to prescribe his salary, and the manner of payment, to define his qualifications, powers and duties, to provide for his election at the next general election to be held in Butler County, Alabama, and to provide for the election of his successor in office.

Was recalled from the Standing Committee on Education and re-referred by the President of the Senate to the Standing Committee on Local Legislation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 390. To prescribe the duties and fix the compensation of the Deputy Solicitor for Cleburne County, Alabama, and to repeal all laws and parts of laws in conflict with this act.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Hall	Loflin	Stokes
Caffey	Holmes	Mitchell	Teasley
Carlton	Jack	Nixon	Walton
Cowan	Jackson	Oliver	Warren
Ellis of Shelby	Justice	Stanley	Young

—20

Nays:—None.

The Bill:

S. 365. To authorize the Court of County Revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Jones	Stokes
Bradford	Hall	Loflin	Teasley
Brown	Holmes	Nixon	Walton
Cowan	Jack	Oliver	Williams
Ellis of Dallas	Jackson	Stanley	Young

—20

Nays:—None.

The Bill:

H. 574. Relating to dependent, neglected or delinquent children in all counties of Alabama, which now have, or which hereafter may have, a population of not less than seventy-five thousand people and not more than ninety-five thousand people according to the last Federal Census or any such census that may be taken hereafter; to declare who are dependent, neglected or delinquent children, to declare that such children shall be wards of the state, to provide for their custody, discipline, supervision, care, protection, guardianship, and welfare; to create and establish in such counties Juvenile and Domestic Relations Courts and to provide for ther equipment and maintenance; to create and confer upon such courts jurisdiction under the terms of this Act; to try and determine the question of dependency neglect or delinquency of children in such counties; and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training, and generally to confer upon such court jurisdiction and power to try and determine all questions arising under the terms of this Act or which may otherwise be referred to them by law for adjudication or which may be necessary or convenient to the exercise of such jurisdiction or to carry out the purpose and intent of this Act; to provide for the trial and punishment of those who aid, abet, cause or connive at or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases; to confer power upon such courts to make rules and regulations; and to provide such forms when not otherwise provided for, under the terms of this Act as shall be found necessary or convenient to the exercise of its jurisdiction or for the conduct of probation officers or their work, as provided for in this Act; to provide for the taking and enforcing of recognizances and bonds; and for the taking of appeals from the decisions of such court; to provide for the trial of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline provided for such delinquent as provided under the terms of this Act; and for the appointment of an Advisory Board to such court and to define the duties and powers of such court; to provide for the selection of the judge and other officers of such court

and to define their powers and duties; and to provide for their compensation; to declare that should any part of this Act be found unconstitutional that it shall not affect the remainder thereof and to provide for the repeal of all laws in conflict with this Act.

Was taken up.

Mr. Teasley offered the following amendment to said bill to-wit:

Amend Section 6 of H. B. 574 by striking out the word "Six" where it appears in line 3 of said section and insert in lieu thereof the word "Four".

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Mitchell	Teasley
Carlton	Holmes	Nixon	Thompson
Cowan	James	Oliver	Walton
Craft	Jones	Stanley	Williams

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Justice	Stokes
Bradford	Fite	Mitchell	Teasley
Carlton	Holmes	Nixon	Thompson
Cowan	James	Oliver	Walton
Craft	Jones	Stanley	Williams

—20

Nays:—None.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:
By Mr. Howard:

H. 546. To amend an Act entitled An Act to prescribe the qualifications of persons who may hold the office of county superintendents of education in the several counties of the State; to regulate the employment or election of county superintendents of education, and to prescribe penalties for the violation of the provisions of this Act, approved October 1, 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. B. 546 To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill:

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 inclusive of the School Code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the 34th legislative day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the 34th legislative day was approved by the Senate.

ADJOURNMENT

At 5:15 P. M., on motion of Mr. Justice and pursuant to resolution heretofore adopted, the Senate adjourned until Friday, July 22, at 9 A. M.

THIRTY-FIFTH DAY

Friday, July 22, 1927.

The Senate met pursuant to adjournment, Lieutenant Governor Davis presiding.

PRAYER

By Rev. Samuel A. Adams, former Member of the Senate.

ROLL CALL

Present:

Messrs:

Bonner	Ellis of Dallas	Jackson	Stokes
Bradford	Ellis of Shelby	James	Teasley
Brown	Fite	Jones	Thompson
Caffey	Hall	Loflin	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	Jack	Stanley	Young
Edgar			

—29

JOURNAL

On motion of Mr. Walton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing Committees, as follows:

By Mr. Mitchell (by request) (With N. & P.):

S. 404. To alter or re-arrange the boundary lines of the City of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory; beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress Street with the north bank of the Tennessee River thence westwardly with the north bank of the Tennessee River to the east bank of Cypress Creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road bridge over Cypress

Creek; thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street the present corporation line to the point of beginning.

Municipalities and Municipal Organizations.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the bill hereinafter set forth will be introduced in the legislature of Alabama at its session in June, 1927, to-wit:

A Bill To Be Entitled An Act:

To alter or re-arrange the boundary lines of the city of Florence, Alabama, so as to include within the corporate limits of said municipality the following additional adjacent territory: Beginning at a point on the present corporation line of Florence, Alabama, at the intersection of the west line of Cypress street with the north bank of the Tennessee river; thence westwardly with the north bank of the Tennessee river to the east bank of Cypress creek; thence northwardly with the east bank of Cypress Creek to the Gunwaleford Road Bridge over Cypress Creek, thence eastwardly with the south side of the Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west, the present corporation line; thence due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street; thence southwardly with the west line of Cypress Street to the present corporation line to the point of beginning.

Be it enacted by the legislature of Alabama:

Section 1. That the boundary lines of the city of Florence, in Lauderdale County, Alabama, be and the same are hereby altered and re-arranged so as to include within the corporate limits of said municipality the following additional adjacent territory: Beginning at a point on the present corporation line of Florence, Ala., at the intersection of the west line of Cypress street with the north bank of the Tennessee River; thence westwardly with the north bank of the Tennessee river to the east bank of Cypress creek; thence northwardly with the east bank of Cypress creek to the Gunwaleford Road Bridge over Cypress Creek; thence eastwardly with the south side of said Gunwaleford Road to the east line of Section 16, Township 3, Range 11, west the present corporation line; then due south with said Section line and the present corporation line to the north line of Canal Street produced; thence eastwardly with the north line of Canal Street produced the present corporation line to the west line of Cypress Street thence southwardly west line of Cypress Street, the present corporation line to the point of beginning.

THE STATE OF ALABAMA,

County of Lauderdale.

Before me, the undersigned authority, in and for the State and County aforesaid, personally appeared O. P. Anderson, who, after first being by

me duly sworn, deposes and says that he is Business Manager of the Florence Times-News, a newspaper published in the City of Florence, Lauderdale County, Alabama, and that the foregoing attached notice was published in said newspaper in its issues of May 23rd, 1927, May 30th, 1927, June 6th, 1927, and June 13th, 1927.

O. P. Anderson,

Sworn to and subscribed before me this 11th day of July, 1927.

Orlan B. Hill, Jr.,
Notary Public.

By Mr. Thompson (With N. & P.):

S. 405. To relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare Tax Collector's Abstracts from said Assessment lists.

Local Legislation.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature, in the following words and figures, to-wit:

A BILL

To be entitled an Act to relieve the Tax Assessor of Jackson County, Alabama, from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and keep as permanent record and prepare Tax Collector's Abstracts from said assessment lists.

Be it Enacted by the Legislature of Alabama:

Section 1. That the Tax Assessor of Jackson County, Alabama, shall not be required to prepare the book of assessments, but in lieu thereof, shall be required to arrange in alphabetical order the original assessment lists and have same permanently bound, and such assessment lists when bound shall constitute the book of assessments to all intents and purposes. Such assessment lists when bound shall be preserved permanently as a matter of record, and the Tax Collector's Abstracts shall be prepared direct from such assessment lists.

Section 2. That this Act shall become effective upon its passage and approval by the Governor.

STATE OF ALABAMA,
Jackson County.

Before me, W. R. Bogart, Judge of Probate in and for said County and State, personally appeared J. S. Benson, who being first duly sworn, deposes and says that he is the Editor and Owner of the Progressive Age, a weekly newspaper published in Scottsboro, Jackson County, Alabama; that the above and foregoing notice of a proposed law for Jackson County, Alabama, a copy of which is hereto attached, was published in said Progressive Age for four successive weeks prior to this date; said notices ap-

pearing in the issues of said newspaper dated the 23rd of June, 30th, of June, 7th of July and 14th of July, 1927, and that said publication was without cost to the State of Alabama.

J. S. Benson,
Editor and Owner.

Sworn to and subscribed before me this 18th day of July, 1927.

W. R. Bogart,
Judge of Probate.

By Mr. Hines:

S. 406. To fix additional duties of, and to provide for the expenses incurred by the Circuit Solicitors of the State of Alabama, in Judicial Circuits composed of five or more counties and having a total population in said Circuits of over 150,000 according to the last or any subsequent Federal census while engaged in the performance of their official duties, and to provide for the payment of same, and to provide for the appropriation of funds for the payment of same.

Judiciary.

By Mr. Ellis of Dallas (With N. & P.):

S. 407. To amend Section 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and comepnsation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provile for the payment of sheriff's fees.

Judiciary.

With Notice and Proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following amendment to the Inferior Court law of Dallas County will be offered for passage by the Legislature of Alabama at its session in June, 1927.

A BILL

To be entitled an Act to amend Sections 5 and 14 of an Act approved August 28th, 1923, entitled An Act to establish an Inferior Court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to defend the jurisdiction and powers of said court and the powers, disabilities and duties of the judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge and the election of the succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace in said precinct; to provide for the transfer to said court from the justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law; to provide for the payment of sheriff's fees.

Be it Enacted by the Legislature of Alabama:

Section 1. That Section 5 of said Act be amended so as to read as follows:

Section 5. Be it further Enacted that the judge of said Court shall receive a salary of eighteen hundred dollars per annum, payable monthly out of the Inferior Court fund upon warrant drawn upon the court depository by the Probate Judge of Dallas County, Alabama. In the event there is not sufficient money in said fund to pay the salary of the judge within any particular month, the judge shall be entitled to draw out of said fund in any month that sufficient funds are in said Inferior Court fund any back salary that may be due, provided, however, that no salary shall be paid any judge after his term of office has expired, unless there be a sufficient amount of money in said Inferior Court fund at the time of the expiration of his office. Provided, that the Probate Judge of Dallas County, Alabama, is hereby empowered to cover from said Inferior Court Fund into the general treasury of said county at the end of each calendar year, any sums of money to the credit of said Inferior Court fund at such time in excess of one thousand dollars. Provided further, that the Probate Judge shall be entitled to receive for his compensation for receiving, paying out and accounting for said funds, two and one half per centum commissions on the funds of said court.

Section 2. Be it further enacted. That section 14 of said Act be amended so as to read as follows:

Section 14. That on the first Monday of each month the Probate Judge of said County shall pay to the Sheriff of said county the sum of fifty dollars for services rendered said court as required by law, which sum shall be paid by warrant issued to said Sheriff by said Probate Judge and drawn on said Inferior Court fund.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

J. E. Gaddy.

THE STATE OF ALABAMA,
The County of Dallas.

Before me, Minnie E. Galt, a Notary Public in and for said County and State, this day appeared M. H. Raiford, who being duly sworn, deposes and says: That she the said M. H. Railford, is business manager of the Selma Times-Journal which is a newspaper published in Selma, Dallas County, Alabama; that the attached notice was published in said Times-

Journal for four consecutive weeks, as follows: June 11th, June 18th, June 25th, and July 2, 1927.

M. H. Raiford,

Sworn to and subscribed before me this July 21st, 1927.

Minnie E. Galt,
Notary Public, Dallas Co. Ala.

By Mr. Craft:

S. 408. To provide the purpose and the use of the gasoline tax by the several Counties of the State, and to provide the purpose and the use of the automobile license tag money received by the several counties and municipalities of the State and to provide for the punishment of violations of this Act.

Finance and Taxation

By Mr. Craft:

S. 409. Authorizing the creation of the Board of Trustees of the "John T. Morgan Memorial Associations", and conferring upon said body by charter issued to it by the Legislature of Alabama, the power of self-perpetuation, and to do any and all things as in this Act provided, and providing for the appropriation of Fifteen Thousand ($15,000.00) Dollars in aid of the construction of a monmument as a tribute in recognition of the eminent public services of John T. Morgan, said monument to be erected on Sand Island, where the Government has now in process of construction a quarantine station at Mobile, Alabama.

Finance and Taxation.

By Mr. Stokes:

S. 410. To provide a Code of laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefitted or increased in value by reason of such improvements, and to repeal all laws in conflict with the same."

Municipalities and Municipal Organizations.

REPORTS OF COMMITTEES

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were seyerally read a second time and placed on the calendar, to-wit:

By Mr. Ellis of Dallas:

S. 375. To validate bonds, warrants, notes and other written obligations or evidences of debt of cities, towns and counties in the State of Alabama heretofore issued for value by such cities, towns or counties and which are not contrary to the provisions of the Constitution of Alabama or the United States of America or barred by the Statute of Limitations of the State of Alabama.

By Mr. Ellis of Dallas (With N. & P.):

S. 396. To amend Sections 5 and 14 of an act approved August 28, 1923, entitled an act to establish an inferior court in precinct 36 in Dallas County, Alabama, in lieu of all justices of the peace, notaries public with powers of justice of the peace in said precinct and to define the jurisdiction and powers of said court and the powers, disabilities and duties of the Judge thereof; to provide for the execution of process of said court and the operation thereof; to regulate the procedure in said court and appeals therefrom; to provide for the appointment of the first judge, and the election of succeeding judges, to fix the qualifications and compensation of said judge and the mode of his election; to provide a fund out of which the salary of said judge and the expenses of said court shall be paid; providing for the appointment of an acting judge in the event the regular judge is unable to serve; to abolish the office of justice of the peace and notary public with powers of justice of the peace in said precinct; to provide for transfer to said court from justice of the peace courts in said precinct of causes within the jurisdiction of such inferior court when established; to provide that the judge of said court may practice law, to provide for payment of sheriff's fees.

By Mr. Williams:

S. 250. To encourage the better enforcement of the criminal laws; to prohibit suits for malicious prosecution where the prosecution is commenced by an indictment by a grand jury; to relieve witnesses appearing before a grand jury and testifying in response to subpoenas, and their principals and employers from liability in suits for malicious prosecution; to make conclusive evidence of existence of probable cause, a conviction in any court, notwithstanding a subsequent acquitttal, or setting aside of the judgment of conviction upon appeal to a higher court; and to provide that only compensatory damages shall be recoverable in actions for malicious prosecution where recovery is permissible, and where the accused has been indicted by a grand jury.

By Mr. Williams:

S. 230. To amend Section 5619 of the Code of Alabama, 1923.

By Mr. Williams:

S. 202. To regulate the empanelling, qualifying and selecting of jurors in civil causes sounding in damages, in which insurance companies, not parties to the cause, are financially interested, and repealing all laws in conflict with the provisions of this act.

By Mr. Williams:

S. 244. To more fully suppress crime in the State of Alabama by regulating the punishment thereof.

By Mr. Smith (With N. & P.):

H. 638. To establish an additional or branch court house at Phenix City, in Russell County, Alabama; to divide the county into Northern and Southern divisions for such circuit court and to fix the boundary line between the two: To provide for the manner and form of the process for causes to be heard in the different divisions; to require certain officers of the County to keep an office at such branch court house; to fix the duties and compensation for such officers; to provide for grand and petit juries; to fix the jurisdiction and venue of each division of both civil and criminal cases, and to provide for the removal of such cases from one division to the other; to provide the method of appeal from inferior courts to the respective divisions of the Circuit Court; to fix requirements as to the confinement of prisoners in the county jail; to provide for the jury and nonjury terms of circuit court in said divisions; to fix the method of determining said terms: To provide for regular and special meetings of the Board of Revenue of said County in each division; to declare and fix the duties of the Judge of Probate with reference to said branch office and the two divisions; to provide for the penalty for failure to comply with his duty and to fix compensation therefor; to provide for the holding of county court in each division and the jurisdiction of cases as to the said divisions; to provide for the appointment of a deputy clerk and fix his compensation: To require Phenix City, in Russell County, Alabama, to furnish quarters for the said county officers, safe-keeping of the records thereof, and for the furnishing of said offices with furniture, fixtures, equipment, etc.: To provide for the furnishing of books and stationery by the County; to fix the method and time by which said Act shall be and be declared to be operate and effective, and the time within which the first term of the circuit court shall be held in said Northern division; to fix the duties and provide the compensation of the tax collector and tax assessor with reference to said branch or additional court house and division.

By Mr. Williams:

S. 242. To amend Section 6129 of the Code of Alabama, 1923.

By Mr. Williams:

S. 243. To amend Section 7943 of the Code of Alabama, 1923.

By Mr. Darden (With Amendment):

H. 57. To further regulate tendering, signing and approving bills of exceptions where the trial judge has resigned, his term of office has expired or he has been removed from office.

By Mr. Williams:

S. 246. To amend Section 5004 of the Code of Alabama, 1923.

By Mr. Williams:

S. 249. To amend Section 10048 of the Code of Alabama, 1923.

By Mr. Edgar:

S. 287. To further regulate the issuance, collection and settlement of executions in cases tried or disposed of in the Circuit Courts of the State other than criminal cases.

By Mr. Edgar:

S. 288. To further regulate the issuance, collection and settlement of executions for fines costs and forfeitures in criminal cases.

By Mr. Edgar:

S. 289. To amend Section 3810 of the Code of Alabama, of 1923.

By Mr. Teasley:

S. 381. To fix the compensation of the Coroner in all counties of this State, which now have or which may hereafter have a population of seventy-five thousand people and less than ninety-five thousand people according to the last United States Census, or any such census which may hereafter be taken.

By Mr. Williams:

S. 208. To amend Section 7919 of the Code of Alabama, 1923.

By Mr. Merrill:

H. 679. To amend Section 10361 of the Code of Alabama, of 1923.

By Mr. Williams:

S. 236. To repeal Section 7206 of the Code of Alabama, 1923.

By Mr. Williams:

S. 239. To amend Section 8643 of the Code of Alabama, 1923.

By Mr. Williams:

S. 234. To amend Section 7209 of the Code of Alabama, 1923.

By Mr. Merrill:

H. 678. To amend Section 10362 of the Code of Alabama of 1923.

By Mr. Fite:

S. 302. Providing a method of service of process on a non-resident of the State of Alabama for actions, suits or proceedings growing out of an accident, injury or collision happening or occuring in the State of Alabama while said non-resident is operating a motor vehicle on any public highway, street, or avenue in the State of Alabama and providing that the operation

of a motor vehicle on any public highway street or avenue by a non-resident of the State of Alabama shall be deemed equivalent to, and shall constitute, an appointment of the Secretary of State of the State of Alabama to be his, her or its true and lawful attorney upon whom may be served all lawful processes, writs, summons and complaints in any action, suit or proceeding against said non-resident growing out of or occasioned by any accident, injury or collision happening or occuring while he, she or it is operating a motor vehicle on any public highway, street or avenue in the State of Alabama and regulating actions, suits or proceedings against said non-resident, and fixing the duties and compensation of the Secretary of State of the State of Alabama for services hereunder, and providing if any part, or parts, section, provision or clause of this Act shall be void or unconstitutional no other part or parts of the Act shall be affected thereby.

By Mr. McAdory (with N. & P.) :

H. 554. To establish an Inferior Court in precinct Twelve of Jefferson County Alabama, said precinct lying within or partly within the town of Leeds, Alabama, in lieu of all Justices of the Peace and Notaries public, with powers of Justice of the Peace in said precinct Twelve of Jefferson County Alabama, and to define the jurisdiction and powers of said court and of the Judge and other officers thereof, and to provide for a place for holding same, and provide the terms of said court, and for a judge of said court and other officers thereof, and for their salary or other compensation, and the qualifications of the judge of said court and to abolish the office of all Justice of the Peace and Notary public Ex-officio Justice of the Peace in said precinct.

By Mr. Sanders of Conecuh (With N. & P.) :

H. 619. To amend Section 5 of an Act approved Sept. 29th, 1919, entitled, an Act to create for the County of Conecuh and State of Alabama the office of County Solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties and to fix his compensation as such officer and how the same shall be paid, and to provide for the length of time which he shall hold office, so that Section 5 as amended shall read as follows:

By Mr. Ward of Tuscaloosa (With N. & P.) :

H. 707. To establish a Court of Record in Tuscaloosa County, Alabama, to be known as the Inferior Court of Tuscaloosa County, in lieu of the Courts of the Justices of the Peace and Notaries Public with powers ex-officio of Justices of the Peace in and for the precincts lying within or partly within the City of Tuscaloosa, Alabama, to abolish the County Court of Tuscaloosa County, Alabama, and to confer upon said Inferior Court

of Tuscaloosa County, all of the criminal and civil jurisdiction of all the Justices of the Peace in the County of Tuscaloosa, Alabama, and all of the jurisdiction of the County Court of Tuscaloosa County, Alabama, the juvenile Court of Tuscaloosa County, Alabama, and the jurisdiction of the Probate Court of Tuscaloosa County, Alabama, as regards domestic relations; and to abolish the offices of all of the Justices of the Peace and Notaries Public with ex-officio powers of the Justices of the Peace in and for all precincts in Tuscaloosa County, Alabama, lying within or partly within the City of Tuscaloosa, Alabama; and to provide for a Clerk of said Court and prescribe, fix, and define his duties and compensation; to establish methods of proceedure and fix the Court costs in said Court, to define the jurisdiction of said Court, and to provide for a Judge of said Court and provide, and fix the method of his selection or election, and qualifications and term, or terms of office, define his powers and duties, and fix the salary of such Judge, and to provide a Solicitor for said Court and to fix his salary and define his duties, and to provide the method whereby the Judge thereof may recuse himself, to provide for certificates of judgment of said court and the recordation thereof; to provide the method of issuing warrants returnable to said court and to define and provide for the proceedings in said court.

By Mr. Jones of Bullock:

H. 583. To amend Section 5001 of the Code of 1923.

By Mr. Rogers of Mobile:

H. 599. To permit State officers to reduce the number of copies of their official reports, when printed.

By Mr. Simpson (With N. & P.):

H. 691. To provide a fund for the support of a law Library for the Circuit Court in counties of Two Hundred Thousand or more inhabitants, without appropriations from the State or County treasury.

Mr. Williams, Chairman of the Standing Committee on Judiciary reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate without recommendation and it was read a second time and placed on the calendar, to-wit:

By Mr. Williams:

S. 207. To amend Section 6574 of the Code of Alabama, 1923.

Mr. Jack, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report,

and they were severally read a second time at length and placed on the calendar, to-wit:

By Mr. Craft:

S. 400. An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may, during the twenty (20) year period hereinafter mentioned, issue and sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand ($3,500,000.00) Dollars, proceeds from the sale of which may be used for the purchase of sites, the erection of buildings, the furnishing of facilities for mental, manual and physical training; and the furnishing of equipment for public educational purposes, as distinguished from maintenance and operation of public schools; the refunding or the payment and retirement of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board or not, incurred for capital expenditures, as distinguished from indebtedness incurred for maintenance and operation of public schools; providing the maximum rate of interest thereon, the maximum date of maturity of said bonds, and the levying of a special annual tax by the Board of School Commissioners of Mobile County, not exceeding Three-tenths (3/10) of one (1) per centum of the assessed value of all property in Mobile County to pay the interest and provide for the payment at maturity of such bonds, which tax shall be in addition to all other taxes now authorized or which may hereafter be authorized by law, and providing that the power to levy said tax shall cease to exist at the expiration of twenty (20) years from the date of the first issue of bonds thereunder; and providing further that the issuance of such bonds and the levying of such taxes be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election.

Be it Enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may, during the twenty year period hereinafter mentioned, issue and

sell, from time to time in its discretion, its interest bearing negotiable bonds in an aggregate amount of not exceeding Three Million, Five Hundred Thousand ($3,500,000.00) Dollars, proceeds from the sale of which may be used for any one or more or all of the following purposes:

(a) The purchase of sites, the erection of buildings, the furnishing and equipping of same; the furnishing of facilities for mental, manual and physical training, and the furnishing of equipment for public educational purposes; as distinguished from maintenance and operation of public schools.

(b) The refunding or the payment and retirement, either or both, of any and all indebtedness of the Board of School Commissioners of Mobile County, whether evidenced by the issue of warrants of the Board of School Commissioners of Mobile County or not, incurred by said Board for capital expenditures on behalf of the public schools of Mobile County; as distinguished from indebtedness incurred for maintenance and operation of said public schools.

Such bonds shall bear a rate of interest not greater than Six (6%) per centum per annum, payable semi-annually; provided that no bonds issued hereunder shall run for a longer period than twenty (20) years from the date of the issue of the first bonds hereunder. To provide for the payment and retirement of said bonds at maturity and to pay the interest on said bonds, the Board of School Commissioners of Mobile County may, from time to time in its discretion, levy and collect annually a tax on all property situated in Mobile County, in such sum as will be in its judgment sufficient to pay the interest upon and provide for the payment at maturity of all bonds then outstanding or the issue of which is then contemplated, provided that such levy shall never in any one year exceed the rate of Three-tenths (3/10) of One (1) per centum of the value of all such property as assessed as is provided by law; which said tax of not exceeding Three-tenths (3/10) of One (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901; which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding Three-tenths (3/10) of One (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that the right and power hereby vested in the Board of School Commissioners of Mobile County to levy and collect the aforesaid tax shall cease

to exist at the expiration of twenty (20) years from the date of the first issue of bonds hereunder; and provided further that the plan of issuing bonds and levying a tax to pay interest thereon and providing for the payment of said bonds at maturity, as herein provided for, be first authorized by a majority vote by ballot of the qualified voters of Mobile County voting at such election; and provided further that to bring into being the said power and authority to issue bonds and levy taxes as aforesaid, it shall be necessary to have only one election by the qualified voters of Mobile County to approve the entire plan.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above bill was read a second time at length, as required by the Constitution.

By Mr. Craft:

S. 399. An Act to provide for and submit to the qualified electors of the State of Alabama; at an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which the amendment is proposed; an amendment to the Constitution of Alabama, whereby the Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) percentum in any one year of the value of all such property as assessed as is provided by law; which said tax shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama, is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at

an election to be held on the second Tuesday after the expiration of three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Board of School Commissioners of Mobile County may levy and collect annually for the operation and maintenance of public schools in the County of Mobile, a tax, on all property situated in Mobile County, at a rate of not exceeding one-tenth (1/10) of one (1) per centum in any one year of the value of all such property as assessed as is provided by law; which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to taxes levied and collected under and pursuant to the authority of Section 215 of the Constitution of Alabama of 1901; and taxes levied and collected under and pursuant to Article XIX of the Constitution of Alabama of 1901, which Article XIX was added to the said Constitution by amendment, and which said tax of not exceeding one-tenth (1/10) of one (1) per centum shall be in addition to all other taxes for public school purposes and any and all other purposes now authorized or which may hereafter be authorized by law; provided, that such levy of such tax and the rate thereof, shall have been first submitted to the vote of the qualified electors of Mobile County and voted for by a majority of those voting at such election.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above bill was read a second time at length, as required by the Constitution.

By Mr. Williams:

S. 374. A Bill to be entitled an act to propose an amendment to the Constitution of Alabama for the purpose of authorizing the Legislature to form or provide for the formation of drainage districts, and establishing and maintaining drainage systems; provide for the assessment of the whole or part of the cost of such improvements against the lands in such districts to the extent of the increased value of said lands by reason of special benefits derived from such improvements; to provide for the is-

suance of bonds by such districts with or without an election; to make such amendment retroactive and retrospective so as to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expenses of installing and maintaining drainage systems so as to promate the public health and general welfare and, which Act was approved March 4, 1915; and to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law; and to order an election by the qualified electors of the State upon such proposed amendment to be held at the next general State election in Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and an election is hereby ordered by the qualified electors of the State upon such proposed amendment to be held at the next general State election to be held in Alabama at which said amendment shall be voted upon. The proposed amendment is as follows: Article , Section 1: The Legislature may form or provide for the formation of drainage districts, for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Act of the Legislature of Alabama, which Act provided for the drainage of farm, wet, swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act, and provided for the raising of revenue by bond issues or otherwise to pay the cost and expense of maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, all contracts entered into and assessments made by such corporations under authority of such law.

Section 2. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor, which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the date hereby appointed for such election.

Section 3. At the election ordered to be held as hereby provided the qualified elector shall vote on said proposed amendment and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article ..... of the Constitution of Alabama". Section 1: The Legislature may form or provide for the formation of drainage districts for establishing and maintaining drainage systems; and provide for the assessment of the whole or part of the cost of such improvements against the lands and property in such district to the extent of the increased value thereof by reason of special benefits derived from such improvements and may provide for the issuance of bonds for such districts with or without an election. Section 2: This amendment shall be retroactive and retrospective and shall operate to ratify, confirm and validate the Acts of the Legislature of Alabama, which Act provided for the drainage of farm, wet , swamp and overflow lands in the State of Alabama and authorized the organization of drainage districts, conferred the right of eminent domain to the extent necessary to carry out the purpose of said Act and provided for raising of revenue by bond issue or otherwise to pay the cost and expense of installing and maintaining drainage systems so as to promote the public health and general welfare and, which Act was approved March 4, 1915; and this amendment shall operate to confirm and validate all corporate organizations under authority of such law, all procedure had, all acts done, all bonds issued, contracts entered into and assessments made by such corporations under authority of such law.

"Yes....."

"No....."

The choice of the elector shall be indicated by crossmark made by him or under his direction opposite the word expressing his desire.

Section 4. The officers to hold such election shall be the same and shall be appointed in the same manner and by the same officials as now provided by the election laws of the State for the appointment of officers to hold elections in this State and the election shall be held in all things in accordance with this Act, the law governing general elections and the constitutional provisions concerning amendments to the constitution.

Section 5. The votes cast at such election shall be canvassed, tabulated, and returns thereof made to the Secretary of State, and counted in the same manner as in elections for representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purposes as a part of the Constitution of the State of Alabama. The result of such election shall be made known by a proclamation of the Governor.

The above bill was read a second time at length, as required by the Constitution.

By Mr. Grove:

H. 55. A Bill to be entitled an act to submit to the qualified voters of the State of Alabama, at the general election to be held in November, 1928, for their consideration, an amendment to the constitution of the State of Alabama, so as to authorize and empower the legislature of Alabama, from time to time, by general or local laws, to fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the Sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method or basis of their compensation.

Be it Enacted by the Legislature of Alabama:

Section One. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified voters of Alabama for their consideration, as hereinafter set forth, viz: 'The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, regulate and alter the costs, charges of courts, fees, commissions, allowances or salaries to be charged or received by any County Officer of Mobile County Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation."

Section Two. That it shall be the duty of the Governor of Alabama to give notice by proclamation to be published in one newspaper in each county in the State of Alabama at least eight successive weeks next preceding the general election in November, 1928, of the election on the amendment proposed by this Act to be submitted to the qualified voters of the State of Alabama for their consideration together with the proposed amendment.

Section Three. That at the general election in November, 1928, an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment.

Upon the ballots used at such election shall be printed the following, viz: Amendment to Constitution, authorizing the legislature of Alabama, by general or local laws, from time to time, to fix, regulate and alter the costs, charges of courts fees, commissions, allowances or salaries to be charged or received by any county officer of Mobile County, Alabama, including the sheriff, Judge of Probate, Tax Assessor, Tax Collector, Clerk of the Circuit Court and Registers of the Circuit and Chancery Courts, and including the method and basis of their compensation. Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No". The choice of the elector shall be indicated by a cross-mark by him or her opposite the word expressing his or her desire.

Section Four. The officers of such general election shall open a poll for the vote of the qualified electors upon the proposed amendment. The election shall be held in all things in accordance with the law governing general elections. In the election upon the proposed amendment the votes cast thereat shall be canvassed, tabulated and the returns thereof be made to the Secretary of State and counted in the same manner as in elections for Representatives to the Legislature of Alabama, and if it shall thereupon appear that a majority of the qualified electors who voted upon the proposed amendment voted in favor of the same, such amendment shall be valid to all intents and purpose as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor of Alabama.

The above bill was read a second time at length, as required by the Constitution.

By Mr. Rogers:

H. 379. A bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama, at an election to be held on the second Tuesday after the expiration of three months from the date of the final adjournment of this session of the Legislature, an amendment to the Constitution of the State of Alabama whereby the municipal corporation of Citronelle, in the State of Alabama, may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or a special election called for that purpose, become indebted in an amount, over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto to incur, not exceeding four per centum of the assessed value of the property therein.

Be it Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and action at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of this session of the Legislature. The proposed amendment is as follows:

The Town of Citronelle may, through the governing body of said town, with the approval of a majority vote by ballot of the duly qualified electors of said town, voting at a general or a special election called for that purpose, become indebted in an amount, over and above the amount of indebtedness said town is otherwise authorized by the Constitution and all other amendments thereto, to incur, not exceeding four per centum of the assessed value of the property therein. In calculating the indebtedness of said town, there shall not be included any classes of indebtedness which are not included in other provisions of the Constitution limiting the indebtedness of said town. Each election held under the provisions hereof shall be ordered, held, canvassed, and may be contested in the same manner as is or may be provided by the law applicable to municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For an increase of the indebtedness of the Town of Citronelle, in the sum of $.....", and "Against an increase of the indebtedness of the Town of Citronelle, in the sum of $..... ....." The amount of increased indebtedness proposed shall be shown in the blank space provided therefor. And the voter shall record his choice, whether for or against the increase in indebtedness of the Town of Citronelle, by placing a cross-mark before or after the words expressing his choice. Nothing herein contained shall in anywise change or affect the rights of any holder of bonds of said municipal corporation heretofore issued. Elections to authorize the incurring of such additional indebtedness may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to determine whether there shall be an increase in the indebtedness of the municipality, in a certain amount, and such proposition is defeated, no second election for the same purpose and submitting a proposition of increasing the indebtedness of said town in the same amount shal be held in one year thereafter.

Section 2. That notice of the election hereby ordered, together with a copy of the amendment hereby proposed shall be given by a proclamation of the Governor, which shall be published in one newspaper in each county in the state once a

week for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of said notices shall be paid out of the State Treasury in the same manner as expenses of other elections are paid.

The above bill was read a second time at length as required by the Constitution.

By Mr. Denson:

H. 539. A Bill to be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature an amendment to the Constitution of Alabama authorizing all counties to incur bonded indebtedness in addition to all indebtedness now authorized by the Constitution, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed, and an election by the qualified electors of the State is hereby ordered upon such proposed amendment and the day appointed for such election is the second Tuesday next after the expiration of three months from the date of the final adjournment of the present session of the Legislature at which this amendment is proposed. The amendment proposed is as follows:

All counties are hereby authorized to incur bonded indebtedness, in addition to all indebtedness now authorized by the Constitution of Alabama, or any amendment thereto prior to the date of this amendment, in an amount not exceeding one and one-half per centum of the assessed value of property therein, as assessed for State taxation, provided such additional bonded indebtedness is authorized by a majority vote by ballot of the qualified voters of such county voting upon such proposition.

Providing that this amendment shall not apply to Montgomery County, Alabama.

Provided, however that the provisions of this amendment shall not apply to Mobile County.

Section 2. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one news-

paper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 3. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the Treasury of the State in the same manner as the expenses of other elections are paid.

The above bill was read a second time at length, as required by the Constitution.

By Mr. Vickers:

H. 629. A Bill to be Entitled an Act to provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of Alabama, authorizing the City of Mobile, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, to levy and collect annually an additional tax on the property situated therein, for general municipal purposes, not to exceed that portion of the three-fourths of one per centum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, provided that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized thereby; and ordering an election by the qualified voters of the State of Alabama upon such proposed amendment, such election to be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 1. Be it Enacted by the Legislature of Alabama that the following amendment to the Constitution of Alabama is hereby proposed, and an election is hereby ordered by the qualified voters of the state upon such proposed amendment, to be held on the second Tuesday after the expiration of three months after the date of the final adjournment of the present Legislature, at which said amendment shall be voted upon. The proposed amendment is as follows:

"The City of Mobile, Alabama, in addition to the taxes it is now or may hereafter be authorized and empowered to levy and collect, may levy and collect annually an additional tax on the property situated therein for general municipal purposes not to exceed that portion of the three-fourths of one percentum authorized by Section 216 of the Constitution of Alabama to be levied to pay the debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt, which

shall not be levied or be required to be levied and collected during such year, to pay, at maturity, the said debt existing on the 6th day of December, 1875, with interest thereon, or any renewal of such debt; provided, that the Legislature of Alabama may, from time to time, reduce the limit of additional taxation authorized hereby."

Section 2. It is ordered by the Legislature that an election by the qualified electors of this state upon the aforesaid proposed amendment to the Constitution of Alabama be held on the second Tuesday next after three months after the date of the final adjournment of this session of the Legislature.

Section 3. That notice of the election hereby ordered together with the amendment hereby proposed shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the State Treasury in the same manner as the expenses of other elections are paid.

The above bill was read a second time at length, as required by the Constitution.

Mr. Hines, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Walton (With N. &P.):

S. 162. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County; approved February 22, 1919; and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

By Mr. Fite: (With N. & P.):

S. 356. To establish an inferior court in Precinct 42, lying within or partly within the City of Birmingham, Alabama, in lieu of all Justices of the Peace heretofore created in Precinct 42 and to define the jurisdiction and power of said court and Judge and Clerk and other officers thereof, the salary of said officers, place of holding the same and the qualifications and compensation of the Judge thereof.

By Mr. Hall (With N. & P.):

S. 378. To repeal an Act entitled an Act, "To provide for the working of all male inhabitants of Henry County, Alabama, between the ages of eighteen and forty-five years, on the public roads of said county; to provide for the levy and collection of a per capita road tax upon such persons in lieu of such road service; to be used for the maintenance, upkeep, building and repair of such public roads; to prescribe the manner and means of raising or collecting such tax; to provide for and regulate the working, building, maintenance and upkeep of the public roads of said county; and to provide and fix penalties for the violation of the provisions of this Act," approved September 28th, 1923.

By Mr. Hall (With N. & P.):

S. 379. To further provide for construction and maintenance of the public roads and bridges of the County of Henry in the State of Alabama by requiring personal service to be rendered thereon by the residents of said County; providing for payment of a per capita tax in lieu of rendering and in discharge of such service; transferring the surplus of all funds of said county to the Road and Bridge Fund thereof to be expended together with such per capita tax as paid in such construction and maintenance; providing for compensation for services enforcing this act; all of which under directions of the Commissioner's Court of said County; providing penalties for violations of and failures to comply with provisions and requirements of this Act; and repealing all laws and parts of laws in conflict herewith, and fixing date for this act to take effect.

By Mr. Byars (With N. & P.):

H. 221. To create the office of County Solicitor for Lawrence County, Alabama, by the qualified voters of said County, to prescribe his powers, duties and qualifications, to provide for his compensation and fix the term of his office, to provide for his election and for the election of his successor and to repeal all General and Local laws in conflict with the provisions of this Act in so far as they relate to said Lawrence County.

By Mr. Frey:

H. 257. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund.

By Mr. Cannon (With N. & P.):

H. 425. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette County, Alabama; to define the duties

and powers of the Court of County Commissioners, or other governing body of Fayette County with regard to the same; to fix penalties for the violations of the rules, regulations and laws of the Court of County Commissioners, or other like governing body of said County; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette County; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette County, Alabama; to provide for the appointment of road foreman in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

By Mr. Martin (With N. & P.):

H. 455. For the relief of David W. W. Fuller of Montgomery County for special services rendered said County.

By Mr. Vickers (With N. & P.):

H. 625. To provide Detention Homes for Juvenile Delinquents in Mobile County, including the appointment of Officers and the fixing of their salaries and the maintenance thereof.

By Mr. Ware (With N. & P.)::

H. 637. To further prescribe the times of elections and terms of office of the County Commissioners of Randolph County, Alabama.

Mr. Young, Chairman of the Standing Committee on Mines and Manufacturing reported that said Committee, in Session, had acted on the folowing bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Morrow:

H. 559. To grant to Hercules Powder Company its successors, licensees, lessees and assigns, the right or franchise to build, maintain and operate a plant or factory for the manufacture and storage of any and all explosives, together with the right to construct, maintain and operate all building, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory, upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast

quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section fourteen (14), the Northeast quarter (NE¼) of the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

Mr. Stokes, Chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Simpson (With N. & P.):

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory and to define and establish the boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

By Mr. Morrow (With N. & P.):

H. 558. To ratify and confirm the action of the City of Bessemer in granting a franchise to Hercules Powder Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factor for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the South-east quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

By Mr. Edmundson (With N. & P.):

H. 560. To vacate and abolish as a public street or highway and to annul and extinguish all dedications as a public street or highway of that part of Eighth Avenue according to the map of North Birmingham Land Company recorded in Map Book 1, at

page 111 in the Probate office of Jefferson County, Alabama, (said Eighth avenue now being sometimes known and referred to as 28th Avenue north in the City of Birmingham, Jefferson County, Alabama), lying between the westerly boundary line of Fourth street according to said may (said Fourth street now being sometimes known and referred to as 26th street in said city) and the easterly boundary line of Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and that portion of said avenue lying between the westerly boundary line of said Fifth street according to said map (said Fifth street being now sometimes known and referred to as 25th street in said City) and the easterly boundary line of Sixth street according to said map (said Sixth street being now sometimes known and referred to as 24th street in said City.)

By Mr. Cannon (With N. & P.) :

H. 621. To validate the proceedings of the Town Council of the Town of Fayette, Alabama, held on May 16th, 1927 authorizing the Mayor of said Town to convey by warranty deed to William M. Cannon, for and on behalf of the said Town the following described lands and to legalize, validate and confirm deed executed on the 17th day of May, 1927, conveying the said described lot or parcel of land to the said William M. Cannon: A certain strip of land situated in the Town of Fayette, State of Alabama, bounded as follows: on the east by Traylor Street or Old Tuscaloosa or Carollton Road, West by Block 6, south by southern R. R. Right of way, on the north by Block 6, and on west by Foreacre street or Johnson Park, according to the James' Survey of the Town of Fayette, Alabama, situated in Fayette County, Alabama.

By Mr. Simpson (With N. & P.) :

H. 693. To alter, re-arrange, and fix the boundaries of the Town of Hollywood, a municipal corporation, in Jefferson County, Alabama.

By Mr. Warren (With Substitute) :

S. 48. To provide for the government, control and regulations, by Civil Service of the fire departments in all Cities of the State of Alabama having a population of more than ten thousand and less than thirty five thousand according to the last decennial Federal Census; and to provide for civil service commissioners for such cities and fixing their duties, authority and powers; and to fix punishment for violations of the Act.

By Mr. Fite (With N. & P.) :

S. 267. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Tarrant City, in Jefferson County, Alabama, so as to include within said Town of Tarrant City certain additional territory, and to define and establish the

boundaries and corporate limits of said Town as hereby extended, altered and re-arranged.

By Mr. Warren (With N. & P.):

S. 335. To reduce the boundaries of the corporate limits of the City of Tuscaloosa, Alabama.

By Mr. Warren (With N. & P.):

S. 336. To authorize and empower the City of Tuscaloosa, Alabama, to sell for public or private purposes and public or private use certain property owned by it situated on the Warrior River in said City and State.

By Mr. Fite:

S. 242. To authorize cities which now have or which may hereafter have a population of 60,000 or more inhabitants according to the last or any succeeding Federal census, to install street lighting faciilties and to assess the cost against property abutting the street upon which such facilities are located to he extent of the increased value of such property by reason of the special benefits derived from such improvements.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insurance reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 114. To provide for Organization, operation and Supervision of Cooperative Savings and Credit Associations to be termed "Credit Unions" and to define their powers.

By Mr. Teasley:

S. 351. To authorize Notaries Public who are stockholders, etc., of banks or other corporations to take aiffdavits and acknowledgments of written instruments and to protest for non-acceptance or non-payment negotiable instruments to which such banks or other corporations are parties or in which they are financially interested.

By Mr. Teasley:

S. 352. To declare the primary liability of makers and endorsers of negotiable instruments under certain circumstances, and to permit their joinder as parties defendant in actions at law on such instruments.

By Mr. Teasley:

S. 353. To amend Section 9023 of the Code of Alabama of 1923.

By Mr. Fite:

S. 357. To amend Section 6779 of the Code of Alabama.

By Mr. Fite:

S. 359. To amend Section 6784 of the Code of Alabama.

By Mr. Teasley (With amendment):

S. 383. To further govern or to further regulate banks and the business of banking, (other than the business of banking under the laws of the United Sates) in the Stae of Alabama; to regulate the presentation and payment of checks; to further define existing powers and authority in the Banking Department and to confer additional powers and authority on the Banking Department of Alabama to examine the Trust Departments of State Banks; to amend Section 6275 of the Code of Alabama of 1923 creating the Banking Department of Alabama.

By Mr. Denson:

H. 538. To authorize the issuance of contingent endowment contracts of insurance by life insurance companies and fraternal benefit societies; and to provide for the maintenance of reserves thereon.

Mr. Mitchell, Chairman of the Standing Committee on Education reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young:

S. 380. To fix the terms of the members of the Board of Control or the Board of Trustees of the Alabama School of Trades and Industries and to create an advisory council for the said school.

By Mr. Edgar:

S. 286. To authorize each county to appropriate funds for the purpose of providing a scholarship for a resident of such County at the Alabama School of Trades and Industries.

By Mr. Darden (With N. & P.):

H. 552. To authorize and empower the Commissioners' Court of Coosa County, Alabama, to donate, contribute or appropriate any of the public funds of said county, not otherwise designated, to the public schools of the county for building, rebuilding, repairing, painting, enlarging or seating purposes as the condition of the County Treasury of finances may permit in their judgment from time to time.

By Mr. Lovelace (With amendment):

H. 357. In relation to public education, to provide for prescribing courses of study and for the selection, adoption, securing and distributing of text books.

Mr. Justice, Chairman of the Standing Committee on Public Health reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate, with a favorable report and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Holmes:

S. 310. To require the teaching in the high schools and junior high schools of Alabama suitable lectures at least once each week on sexology, sociology, biology, physiology, anthropology, and prevention of social diseases; to require the teaching of the most important and significant of modern problem of racial hygiene and the cultivation of conditions that will tend to improve the qualities of future generations; to require a transmission by education of the knowledge and tradition of sex problems to all boys and girls thirteen years old and up in the high schools and junior high schools, teaching the boys and girls separately; to require biologic instruction to prepare the growing generation for the demands of adult life and development; to require the teaching of the danger of contagious diseases and instruction as to their prevention, and to prescribe the powers and duties of the Superintendent of Education, the State Board of Education and the State Health Officer in connection herewith, and providing that expenses incurred in carrying out the provisions of this Act shall be paid out of the general Educational Fund of the State.

By Mr. Justice (With Amendment):

S. 403. To regulate the sale, bartering, possession and control of opium and cocoa leaves, or any compound, manufacture, salt, derivative, or preparation thereof, and providing penalties for the violation thereof.

By Mr. Cowan:

S. 363. To amend Sections 325, 326, 329, 332, 337, 343, 344, 345, 347, 348, 349, 354, 358, and 359, Code of Alabama 1923, and to repeal Section 330, Code of Alabama 1923, relating to the practice of dentistry and dental hygiene, composing Chapter 18, Volume 1, of said Code.

By Mr. Kirkpatrick:

H. 351. To provide for the inspection of dairy farms and milk plants, and for the grading of the milk and cream output of such establishments.

Mr. Craft, Chairman of the Standing Committee on Public Roads and Highways reported that said Committee, in Session acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brown:

S. 167. To regulate the practice of the profession of traffic expert by creating a State board of traffic examiners, fixing its fees and emoluments; to prohibit the unlawful use of the words, letters or other means of identification by unauthorized persons as certified traffic experts under this act, and to provide penalties for the violation of its provisions.

By Mr. Craft:

S. 377. To require the Boards of Revenue and Road Commissioners, or like governing bodies, in each and every county in the State of Alabama, having a population of not less than eighty-five thousand (85,000) and not more than three hundred thousand (300,000), according to the last or any subsequent Federal census, to appoint a thoroughly qualified and competent person as Road Engineer for their respective counties, and to prescribe the qualifications of such engineer, and to provide for the payment of compensation of such engineer; and repealing all laws or parts of laws in conflict wih this Act.

By Mr. Holmes (With N. & P.):

S. 391. To authorize the construction, maintenance and operation of a toll bridge, causeway and highway across Perdido Bay, conecting the mainland of Baldwin County, Alabama, at or near Perdido Beach with the mainland of Florida, at or near Inerarity Point in Escambia County, Florida; granting a right of way across Perdido Bay to the Florida State line; authorizing the County Commissioners, Board of Revenue or other governing body of Baldwin County, Alabama; to grant a franchise therefor; and granting the right of eminent domain to the person, persons or corporation receiving said franchise.

By Mr. Holmes (With N. & P.):

S. 362. To provide for the formation of districts for the building and maintaining of public roads in Baldwin County, Alabama, under the provisions of Article Twenty-One, of the constitution of Alabama as proposed in an Act of the Legisiature, Acts of 1923, Pages 592, 593, and 594, by the County Commissioners, Board of Revenue, or body having same powers and duties by whatever name called upon a petition being filed with said body setting out the boundaries of said district, and showing same on a plat attached, also the road to be constructed, accompanied by bond to pay court costs and legal advertising that may accrue in the event said district is not established said petition to be signed by a majority of the land owners, or those owning more than half the acreage within the proopsed road improvement district; for the giving of notice of said application and the hearing and passing on same by said Board; for the appointing by said Board of Commissioners for said road district and providing for their duties in conection with the plans, specifications, construction of and financing the road or roads in such road improvement district; providing for the organization of said Board of Commissioners of said road improvement district and declaring same a body politic and corporate with power to sue and be sued, and have perpetual succession

for the purpose of building, constructing, maintaining and repairing the roads in said district; providing for the employment of an engineer in connection with such road improvement who may be the county engineer, also for assistance from the State highway Commission for the issuance of notes or bonds for the payment of the expense in connection with such district for the appointment of a Board of Assessors by said County Commissioners to assess against the land in said District, the amount to be collected for the construction of the Road or roads and other expenses not in excess of the improvement of the value of said land by reason of special beenfits derived from such improvement to provide for placing of such assessment or assessment book and collecting same by the county tax assessor and tax collector and their compensation, to provide for the enforcement of the collection of such assessments by proceeding in the Circuit Court and such other details as may be necessary for the carrying out of the purpose of such constitutional amendment.

By Mr. Craft:

S. 401. To amend the caption and an Act "To provide for the extension of the time of payment of interest bearing warrants which are issued for the payment of construction or repair of public roads and bridges, and to authorize Courts of County Commissioners, Board of Revenue, or other like governing bodies of the several counties of Alabama, having a population of not less than ninety thousand not more than one hundred and fifty thousand inhabitants according to the last or any subsequent Federal census, to issue new interest bearing warrants, at the same or a less rate of interest, in lieu of the warrants, the time of payment of which are to be extended, said extension of time for payment not to extend over a period of more than ten years from date of contract upon which said warrants were issued," approved February 10, 1923.

By Mr. Craft: (With Substitute) (With N. & P.):

S. 376. To authorize Mobile County in this State, to increase its indebtedness for the purpose of constructing concrete or better than concrete surfaced public roads and concrete or better than concrete bridges in said County, and a way for vehicular traffic between Mobile and Baldwin counties; and to issue bonds therefor and to levy and collect taxes on property in Mobile County to pay for the same, and to provide for and regulate the holding of elections by the qualified voters of Mobile County to authorize such increase of indebtedness, issuance of bonds and levying of taxes, and for ascertaining and declaring the results of such election.

Mr. Fite, Chairman of the Standing Committee on Revision of Laws reported that said Committee, in Session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

S. 324. To fix and regulate the compensation of the Registers of the Circuit Court in Counties in the State having more than two hundred thousand population, according to the last or any succeeding federal census, and to provide for the payment of such compensation.

By Mr. Rogers of Mobile:

H. 85. To amend an Act "To authorize the Court of County Commissioners, the Board of Revenue and Road Commissioners, or like body, in each County in the State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, the office of the jailer, and the judge of probate of their respective counties," approved September 25, 1919.

By Mr. Fite:

S. 314. To amend Section 5310 of the Code of Alabama.

By Mr. Hubbard (With amendment):

H. 705. To amend Sections 9384, 9386, 9394 and 9396, and to repeal sections 9392 and 9393 of the Code of Alabama, 1923, relating to Limited Partnerships.

By Mr. Fite:

S. 178. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, in all counties in the State of Alabama, which now have, or may hereafter have over One Hundred Thousand population according to the last Federal census, or according to any Federal or State census hereafter taken, and to make it a misdemeanor for any person other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to willfully transport or aid or abet the transportation of, or the cutting, breaking, injuring or removing of any such tree, bush, shrub, plant, or flower therefrom without the consent of the owner or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

By Mr. Jordan of Etowah:

H. 681. To amend Section 1936 of the Code of 1923.

By Mr. Fite:

S. 347. To provide ofr the removal of the court house in any county to a site in the city or town where such court house is located, which site was not within the corporate limits of such city or town when the court house was first located therein.

By Mr. Fite (With N. & P.):

S. 308. To ratify and confirm the action of the City of Bessemer, in granting a franchise to Hercules Power Company, its successors, licensees, lessees and assigns, to build, maintain and operate a plant or factory for the manufacture and storage of powder, dynamite, nitro-glycerine, gun cotton, gelatin, and any and all other explosives, together with the right to construct, maintain and operate all buildings, machinery, tracks and other things which may be necessary or convenient in the construction, maintenance or operation of such plant or factory upon any or all of the following described property: The Southwest quarter (SW¼), the West half of the Southeast quarter (W½ of SE¼), the Southwest quarter of the Northeast quarter (SW¼ of NE¼), and the South half of the Northwest quarter (S½ of NW¼) of Section Thirteen (13), the Southeast quarter (SE¼) and the Southeast quarter of the Northeast quarter (SE¼ of NE¼) of Section Fourteen (14), the Northeast quarter (NE¼) and the North half of the Southeast quarter (N½ of SE¼) of Section Twenty-three (23) and the West half (W½) and the West half of the East half (W½ of E½) of Section Twenty-four (24), all in Township nineteen (19) South, Range Five (5) West, Jefferson County, Alabama.

By Mr. Hawkins:

H. 266. To prohibit the Probate Judges of this State from receiving for record any map or plat on which lands lying within the corporate limits or police jurisdiction of any city having a population of more than one hundred thousand inhabitants according to the last or any succeeding Federal census or mapped or platted as streets, alleys or other public ways unless such map or plat has noted thereon the approval of the City Engineer of such city.

By Mr. Simpson:

H. 692. Ratifying, confirming and making effective the Act approved September 29th, 1919, as of the date of its approval, creating as an item of court costs in circuits of two hundred thousand or more population, a "library tax" of $2.00 and providing for its payment and collection; ratifying, confirming and making effective, as the date of its approval, the Act approved September 27th, 1923, amending the said Act approved September 29th, 1919, excepting from the provisions of said Act certain classes of cases; ratifying, and confirming the payment, receipt and collection by the clerk of the circuit court of all sums that have been paid as and for "library tax" costs under the aforesaid Act approved September 19th, 1919.

By Mr. Simpson:

H. 219. To amend Section 8588 of the Code of Alabama.

By Mr. Harwood:

H. 670. To amend the title and sections 5, 12, 14 and 17 of the Act approved September 25, 1915, and entitled "An act to establish a Board of Revenue for Tuscaloosa County, Alabama, to prescribe its powers and duties, to fix the compensation of its members, to provide for the election of its members and fix their terms of office, provide for a clerk and engineer, and to abolish the Board of Public Works and the Jury Commission of said County."

By Mr. Goodwyn:

H. 702. To amend Section 6117 of the Code of Alabama of 1923.

ADVERSE REPORTS

Mr. Fite, Chairman of the Standing Committee on Revision of Laws, reported that said committee, in Session, had acted on the following bills and ordered same returned to the Senate with an Adverse report, and placed on the adverse calendar, to-wit:

By Mr. Fite:

S. 304. To amend Section 5713 of the Code of Alabama.

By Mr. Fite:

S. 303. To amend Section 5712 of the Code of Alabama.

By Mr. Fite:

S. 176. To conserve all flowering trees, bushes, shrubs, and plants, domesticated, native, or wild, and to make it a misdemeanor punishable by fine, for any person, other than the owner or person in possession of the land whereon the same are situated, to wilfully cut, break, or remove any flowers therefrom, or to wilfully remove, cut, break, or injure any such tree, bush, shrub, or plant or to wilfully transport or aid or abet the transportation of, or the cutting, breaking, injuring, or removal of, any such trees, bushes, plants, shrubs, or flowers therefrom, without the consent of the owner, or person in possession of the land upon which such tree, bush, shrub, or plant is situated.

By Mr. Walton:

S. 333. To amend section 7887 of the 1923 Code of Alabama (Relating to exemption of wages of employees.)

By Mr. Fite:

S. 19. To amend section 7287 of the Code of Alabama.

By Mr. Fite:

S. 79. To amend Section 871 of the Code of Alabama of 1923.

By Mr. Fite:

S. 91. To amend Section 4235 of the Code of Alabama of 1923.

By Mr. Fite:

S. 52. To amend Sections 1754, 1757, 1760 of the Code of Alabama.

By Mr. Fite:

S. 78. To authorize the Alabama Public Service Commission to employ a commerce counsel and to define the scope of his duties and authority and to provide for his compensation.

By Mr. Fite:

S. 41. To amend Section 855 of the Code of Alabama.

Mr. Williams, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session had acted on the following bills and ordered same returned to the Senate with an Adverse report, and placed on the Adverse calendar, to-wit:

By Mr. Young:

S. 283. To provide for the purchase of Rayburn's Alabama Jury Charges for the use of the members of the Supreme Court, Court of Appeals, Circuit Judges and Circuit Solicitors of the State of Alabama.

By Mr. Williams:

S. 248. To amend Section 9023 of the Code of Alabama, 1923.

By Mr. Williams:

S. 205. To provide that any person who, having been first legally sworn or affirmed by a court or officer authorized to administer oaths or affirmations, willfully and corruptly makes or subscribes to a false statement orally or in writing of any material matter relating to what another knows or is reputed to know about, or would testify, if present, as a witness in a cause or proceeding then pending in court, or as to any other material matter, relating to the health, whereabouts, place of business, residence, postoffice, address, or cause of absence, of such other person, shall be guilty of perjury, and to prescribe the punishment therefor.

By Mr. Williams:

S. 206. To regulate the practice of law by circuit solicitors, county solicitors, and deputy solicitors, of Alabama, and their law partner or partners, and to provide penalties and impeachment for the violation of this Act.

By Mr. Williams:

S. 237. To provide for the joining of suits for loss of services of married women and minors, with suits for personal injuries occasioning such loss of services, and repealing laws in conflict herewith.

By Mr. Williams:

S. 203. To provide a fund for support of a law library for the Circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or County Treasury.

By Mr. Fite:

S. 177. To further define and regulate actions of libel and defenses thereto.

By Mr. Justice:

S. 269. To amend Section 5001 of the Code of 1923.

By Mr. Fite:

S. 388. To amend Section 12 of an act entitled, An Act to provide for the organization, regulation and government of the State Bar, including admissions and disbarments of lawyers, approved August 9th, 1923.

Mr. Justsice, Chairman of the Standing Committee on Public Health reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with an Adverse report, and placed on the adverse calendar, to-wit:

By Mr. Justice:

S. 107. To provide the means and methods of selecting medical and surgical staffs for city and county charity hospitals and to formulate the plan of operation for said hospitals, prescribe a punishment for the violation thereof.

Mr. Teasley, Chairman of the Standing Committee on Banking and Insusrasnce reported that said Committee, in Session had acted on the folowing bill and ordered same returned to the Senate with an Adverse report, and it was placed on the Adverse calendar, to-wit:

By Mr. Teasley:

S. 354. To further govern or to further regulate banks and the business of banking, (other than the business of banking under the laws of the United States) in the State of Alabama; to regulate the presentation and payment of checks; to further define existing powers and authority in the Banking Department and to confer additional powers and authority on the Banking Department of Alabama to examine the Trust Departments of State Banks; to amend Section 6275 of the Code of Alabama of 1923 creating the Banking Department of Alabama; to forbid loans or discounts to officers, examiners, agents or employees of the Banking Department of Alabama.

BILLS RETURNED AND RE-REFERRED

Mr. Williams, Chairman of the Standing Committee on Judiciary, returned to the Senate without recommendation the bill:

S. 294. To authorize the Governor to acquire for the use of the State for use as a State Public Park the lots in the City of Tuscaloosa on which the State Capitol at Tuscaloosa was situated

And on his motion, said bill was re-referred by the President of of the Senate to the Standing Committee on Finance and Taxation.

Mr. Hines, Chairman of the Standing Committee on Local Legislation, returned to the Senate the bill:

S. 164. For the relief of Carrie Bemis by the payment to her of compensation for the death of her son, Roy Albert Bemis.

And on his motion, said bill was re-referred by the President of the Senate to the Standing Committee on Finance and Taxation.

BILLS INDEFINITELY POSTPONED

On motinn of Mr. Warren, the further consideration of the bill:

S. 145. To provide for the appointment of an assistant solicitor for each judicial circuit in the State which is composed of one county only which has a population of fifty thousand inhabitants and not more than sixty-five thousand inhabitants according to the last Federal census or any subsequent census, to fix the term of said office, to prescribe the duties and authority of said assistant solicitor, and to fix his compensation.

Was indefinitely postponed.

On motion of Mr. Teasley, the further consideration of the bill:

S. 298. To amend Sections 405, 406, 408, 409, 410, of the Code of Alabama, 1923.

Was indefinitely postponed.

LEAVES OF ABSENCE

On motion of Mr. Ellis of Dallas, leaves of absence were granted Messrs. Mitchell, Smith and Walker for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill your signature thereto is requested:

H. 359. In reference to and to further provide for the general revenue of the State of Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Mr. Rogers of Mobile:

H. 377. To define, regulate, and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for the violation of the provisions hereof.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read one time and referred to appropriate Standing Committee as follows:

H. 377. To the Committee on Finance and Taxation.

REPORT FROM COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 119. To authorize the Board of Revenue of Barbour County to grant relief to John B. Laseter, former Sheriff of Barbour County as to certain claims held by him against the Fine and Forfeiture Fund of Barbour County.

S. 328. To validate, legalize and confirm elections heretofore held under the provisions of Article 12, Section 223 to 246 in-

clusive of the school code of Alabama, 1924, providing for elections to authorize any county in the State to levy and collect special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities.

H. M. Caffey,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report from Committee on Enrolled Bills:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate:

By Rules Committee:

H. J. R. 106. Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday July 26, 1927.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brown, the rules were suspended, and H. J. R. 106, set out in the foregoing Message from the House, concurred in and adopted.

ORDER TO PRINT

On motion of Mr. Jones, five hundred copies of the bill:

S. 297. To amend Sections 677, 678, 680, 681, 682, 683, Code of Alabama, 1923

And proposed amendment thereto, were ordered printed for the use of the Senate.

RECONSIDERATION OF VOTE AND RE-COMMITMENT OF BILL

Mr. Fite withdrew his motion to table the motion of Mr. Teasley to re-consisdser the vote by which the bill:

S. 364. To prevent any person or persons from appearing in any public place or within the curtilage of any private residence, not his own in mask or with his or their face covered in part or in whole so as to prevent or make difficult his or their ildentity and to make it a felony to commit an assault, assault and battery, engage in an affray or violate any criminal statute while so disguised, and to provide punishments for the violations of the provisions hereof.

Was passed as amended on the last Legislative Day.

The motion of Mr. Teasley to reconsider the vote by which said bill as amended was passed, then prevailed and said vote was reconsisdered.

Yeas, 28; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jackson	Stokes
Bradford	Ellis of Shelby	James	Teasley
Brown	Fite	Jones	Thompson
Caffey	Hall	Loflin	Walton
Carlton	Hines	Nolen	Warren
Cowan	Holmes	Oliver	Williams
Craft	Jack	Stanley	Young

—28

Nays:—None.

On motion of Mr. Williams, said bill, S. 364 as amended was then re-referred by the President of the Senate to the Standing Committee on Judiciary.

BILLS ON THIRD READING

The Bill:

H. 589. To divide Coosa County, Alabama, into five County board of Education Districts, to define the boundaries of said

districts, to provide for the nomination and election of a member of the County Board of Education of Coosa County from each of said districts for said County, to provide for the nomination and election of two members of the County Board of Education of Coosa County, Alabama, from the county at large to serve until the general election in 1930; to prescribe the terms of office of each member of the county board of education of Coosa County, Alabama; to define the duties of the County Board of Education of said County of Coosa and State of Alabama, thus elected; and to provide that women may serve on the County Board of Education of Coosa County, Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jackson	Stanley
Bradford	Ellis of Shelby	Jones	Stokes
Caffey	Hall	Loflin	Thompson
Carlton	Hines	Nolen	Warren
Cowan	Jack	Oliver	Young

—20

Nays:—None.

The Bill:

H. 347. To vcaate and abandon a certain described portion of a certain street in the city of Sheffield county of Colbert, and State of Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Thompson
Bradford	Ellis of Shelby	Loflin	Walton
Caffey	Hines	Nolen	Warren
Carlton	Jack	Stanley	Williams
Cowan	Jackson	Stokes	Young

—20

Nays:—None.

The Bill:

H. 346. To vacate and abandon certain described portions of certain streets, avenues and alleys, in the city of Sheffield, county of Colbert, and State of Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Dallas	Jones	Thompson
Bradford	Ellis of Shelby	Loflin	Walton
Caffey	Hines	Nolen	Warren
Carlton	Jack	Stanley	Williams
Cowan	Jackson	Stokes	Young

—20

Nays:—None.

The Bill:

S. 372. To further amend an Act of the Legislature of Alabama entitled "An Act to establish a board of revenue for said county and for the abolishment of the court of county commissioners of said county," approved September 19, 1923.

Was taken up.

Mr. Carlton offered the following amendment to said bill to-wit:

Amend the title of said bill by striking out the word "said" where it appears just before the word "County" in the second line of said title, and insert in lieu thereof the word "Marengo" so that said title shall read "Marengo County" instead of "said County" in said second line of said title.

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Nolen	Thompson
Bradford	Jack	Oliver	Walton
Caffey	Jackson	Stanley	Warren
Carlton	Jones	Stokes	Williams
Ellis of Dallas	Loflin	Teasley	Young

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:
Messrs:

Bonner	Ellis of Shelby	Nolen	Thompson
Bradford	Jack	Oliver	Walton
Caffey	Jackson	Stanley	Warren
Carlton	Jones	Stokes	Williams
Ellis of Dallas	Loflin	Teasley	Young

—20

Nays:—None.

The Bill:

S. 300. To validate and legalize elections heretofore held under the provisions of an act of the Legislature approved February 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc." or any amendments thereto, or any subsequent acts of the Legislature relating to special school tax elections.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Bonner	Craft	Holmes	Stanley
Bradford	Edgar	Jack	Teasley
Brown	Ellis of Dallas	Jackson	Thompson
Caffey	Fite	James	Warren
Carlton	Hall	Nolen	Williams
Cowan	Hines	Oliver	Young

—24

Nays:—None.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bill with the original bill, and finds same correctly engrossed, to-wit:

S. 365. To authorize the court of county revenue of Franklin County, Alabama, to make payment from the road and bridge funds of Franklin County of a certain note held by the Bank of Red Bay which was executed to it by the citizens of that community for the construction of a road or highway from Red Bay south in Franklin County.

W. B. Nolen,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 303. To repeal an Act entitled an Act to provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Also:

H. 325. To repeal an Act entitled An Act to amend Sections 1, 2, 6, 7, 9, 11, 15, 24, 25 and 38 of an Act entitled An Act to better provide for establishing, working and maintaining public roads and bridges in Walker County, Alabama, approved March 6, 1903."

Also:

H. 326. To abolish the Court of County Commissioners of Baldwin County, Alabama; to establish a Board of Revenue for said county in lieu of the Court of County Commissioners, to provide for the appointment and election of the principal judge and associate members thereof; to prescribe and limit their duties, powers, jurisdiction, authority and privileges; to fix their compensation and to divide the county of Baldwin into four board of revenue districts; to provide a clerk and assistant clerk for the said board of revenue and to fix their duties and compensation and to provide for a county engineer as superintendent of roads and to repeal all laws in conflict with the provisions of this Act.

Also:

H. 331. To amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the court of County Commissioners of said County: approved February 22, 1919: and to amend an act to amend an act to establish a Board of Revenue for Sumter County, and for the abolishment of the Court of County Commissioners of said County, approved February 22, 1919, which act was approved November 1, 1921.

Also:

H. 356. To establish a county court for DeKalb County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide for the transfer of certain causes now and hereafter pending in the Circuit Court and the Probate Court of DeKalb County, Alabama, to the DeKalb County Court;

and to provide for the transfer of certain cases pending in said DeKalb County Court to the equity side of the Circuit Court of DeKalb County, Alabama.

Also:

H. 348. To relieve the Tax Assessor of Covington County from the duty of preparing a book of assessments and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as permanent record and prepare tax collector's abstracts from said assessment lists.

Also:

H. 306. To prescribe the duties and fix the compensation of the deputy soslicitor of Choctaw County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

Also:

H. 458. To provide for the election of a county superintendent of Education of Randolph County, Alabama, by the qualified electors of said County, to prescribe the qualifications and duties of such officer, and the length of time he shall hold office and to fix his compensation and to provide for the election of his successor in office.

Also:

H. 548. For the relief of D. B. Chambliss, former sheriff of Autauga County, Alabama.

Also:

H. 549. For the relief of R. P. Barnes, clerk of the inferior court of Autauga County, Alabama.

Also:

H. 600. To amend Section 22 of an Act "to provide and create a Commission form of Municipal Government and to establish same in all cities of Alabama which now have or which may hereafter have a population of as much as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or any such census which may hereafter be taken; to regulate the selection and election of Commissioners and their terms of office; to fix their powers, duties and compensation, to punish improper conduct in connection with elections and petitions hereunder; to abolish police commissioners, aldermen and certain other city officials, and otherwise provide for the creation and maintenance of said commission form of government," approved Sept. 18, 1923.

Also:

H. 562. For the relief of Lucien W. Brown.

Also:

H. 612. To further prescribe the duties and fix the salary of the court reporter of the Seventeenth Judicial Circuit of Alabama and to provide for the payment of same.

Also:

H. 649. To provide for the election of County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties, and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education of Coosa County, Alabama; to provide for the election of his successor in office; and to provide for his removal by the County Board of Education for good cause.

Also:

H. 553. To amend Sec. 3 of an Act to provide for the establishing, construction and maintaining of public roads and bridges in Cullman County, Alabama; creating a Highway Commissison for said County, and defining its powers, jurisdiction and duties.

Also:

H. 642. To ratify, confirm, validate and make legally effective and binding all proceedings of the Court of County Commissioners and of the qualified voters of Baldwin County, Alabama, relative to the calling and holding of an election in said County on the eighteenth day of January, 1916, and the authorization at said election of the issuance of bonds of Baldwin County, in the amount of $55,000.00 for the purpose of constructing a highway in said county with bridges and ferries in conjunction with Mobile County and all proceedings of said court of county commissioners relative to the issuance and sale of said bonds for the purpose of constructing said highway and providing that when said bonds are duly executed, delivered and paid for they shall constitute valid and binding obligations of Baldwin County.

Also:

H. 390. To prescribe the duties and fix the compensastion of the Deputy Solicitor for Cleburne County, Alabama, and to repeal all laws and parts of laws in conflict with this act.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing: Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speakqer of the House having signed the following House Bills, your signature thereto is requested:

H. 585. To make appropriation of three hundred thousand ($300,000.00) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of the present session of the Legislature.

J. H. Stewart,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been disepnsed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR.

To the Legislature of Alabama:
Gentlemen:

I herewith transmit message from the Governor relative to inquiry and answer of the Supreme Court as to the Legislative Day of the Legislature of Alabama.

Respectfully,
Gaston Scott,
Secretary to the Governor.

To the Legislature of Alabama:
Gentlemen:

Complying with the request of the sub-committee of the Rules Committee of the House of Representatives, I, as Governor, propounded to the Justice of the Supreme Court, in writing a request that they furnish an opinion in writing on certain specific questions and a majority of the Court has complied by filing in this office their reply thereto in writing.

I herewith transmit to you for your records the questions propounded to the Supreme Court and their reply thereto, the original of which is on file in the Governor's Office.

Respectfully,
Bibb Graves,
Governor.

STATE OF ALABAMA—EXECUTIVE DEPARTMENT.

July 20, 1927.

To the Honorable John C. Anderson, Chief Justice, and Honorable A. D. Sayre, Ormond Somerville, Lucien D. Gardner, Wm. H. Thomas,

Virgil Bouldin and Joel B. Brown, Associate Justices of the Supreme Court of Alabama.

Gentlemen:

As Governor of the State of Alabama and under and by virtue of the provisions of Sections 10290-10291, Code of Alabama of 1923, I respectfully request the Justices of the Supreme Court to render a written opinion upon the following questions, the facts being as follows:

On Tuesday, July 12th, 1927, which was the Thirtieth (30th) Legislative Day of both the Senate and the House of Representatives, the Senate adjourned until Wednesday, July 15th, and held a session on that day. on Tuesday, July 12th, the House of Representatives adjourned until Thursday, July 14th, without joint action of both the House and Senate. The Journal of both the Senate and House will show that both of these bodies were in session on Thursday, July 14th and Friday, July 15th, and again in session on Tuesday, July 19th.

In view of the above facts, as Governor, I request your written opinion in answer to the following specific questions:

First: What is the Legislative Day of the Senate?

Second: What is the Legislative Day of the House?

Third: Was the day on which the Senate was in session and the House not in session a Legislative Day?

Fourth: If there is one Legislative Day for the Senate and a different Legislative Day for the House, how may the House and Senate reach the same Legislative Day on the same Calendar Day in a constitutional manner?

Respectfully submitted,
Bibb Graves,
Governor of Alabama.

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT.

July 21, 1927.

To His Excellency, Bibb Graves,
Governor of Alabama.

Dear Sir:

Replying to your inquiry of July 20th, hereto prefixed, we beg to advise as follows:

Section 48, of Article IV, of the Constitution of Alabama, provides that "The Legislature shall meet quadrennially at the Capitol, * * *, on the second Tuesday in January next succeeding their elecetion, or on such other day as may be prescribed by law; and shall not remain in session longer than sixty days at the first session held under the Constitution, nor longer than fifty days at any subsequent session." Section 58, following, provides that "Neither House shall, without consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting, except as otherwise provided in the Constitution."

Under Section 48 it seems clear that when a session of the Legislature is begun, it must proceed continuously for fifty days, not counting Sundays, unless by the joint or concurring action of both Houses, adjournments over should be declared.—**Moog v. Randolph**, 77 Alabama, 597, 608. By such joint or concurring action the session may be extended until the time appointed by law for the meeting of the next Legislature, so long as fifty working days have not been used in actual session.—Cushing's Law and Practice of Legislative Assemblies, page 206, Secs. 509-515.

It is clear, also, that on any day within the period of constitutional limitation, over which there has been no adjournment by the joint or con-

curring action of **both** Houses, either House may be in lawful session, and may transact all legislative business properly brought before it,—even though the other House chooses not to be in session, and has in fact adjourned over.—Cushing's Law and Practice of Legislative Assemblies, p. 206, Sec. 511; **State, ex rel. Adams v. Hillyer, 2 Kansas 1, 28.**

In such a case, a session by either House,—the other House not sitting,—makes a legislative day, to be deducted from the fifty days allowed by the Constitution. This conclusion seems obvious, and is not impugned, but rather confirmed, by section 58 of the Constitution, **supra,** which permits either House to separately suspend its own labors by its own **separate** adjournment for a period of three days, without the consent of the other House.

Answering your questions in detail, we advise:

First: Tuesday, July 19th, was the 34th legislative day of the Senate.

Second: Tuesday, July 19th, was the 34th legislative day of the House.

Third: Wednesday, July 13th, on which the Senate was in session, though the House was not, was a legislative day for the Legislature as a whole.

Fourth: There can be no legislative days separately and distinctly for the Senate and for the House. Each day used by either Senate or House, not previously excluded by joint or concurrent action, is a legislative day for both.

Respectfully,

(Signed) Jno. C. Anderson,
Chief Justice.

(Signed) Ormond Somerville,
Lucien D. Gardner,
William H. Thomas,
Joel B. Brown,
Associates Justices

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 65. Relative to extending an invitation to Col. Lindberg when he makes his Southern tour.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 372. To further amend an Act of the Legislature of Alabama entitled: 'An Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

S. 300. To validate and legalize elections heretofore held under the provisions of an Act of the Legislature approved Febru-

ary 13, 1919, entitled, "An Act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars ($100.00) worth of taxable property in such county, to levy a special district tax for school purposes not to exced thirety (30) cents on each one hundred dollars ($100.00) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," and under the provisions of Article 12 of an Act of the Legislature approved September 26, 1919, entitled, "An Act to provide a complete educational system for the State of Alabama, etc.," or any amendments thereto, or any subsequent Acts of the Legislature relating to special school tax elections.

W. B. Nolen,
Chairman.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your standing committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Thirty-fifth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

Thos. W. Bradford,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read and on motion of Mr. Bradford, said report was concurred in and the Journal of the Senate for the Thirty-fifth legislative day was approved by the Senate.

ADJOURNMENT

At 11:30 A. M., on motion of Mr. James and pursuant to joint resolution heretofore adopted, the Senate adjourned until Tuesday, July 26, 1927 at 2 P. M.